

AGENDA
LEXINGTON COUNTY COUNCIL
Committee Meetings
Tuesday, September 27, 2005
Second Floor - County Administration Building
212 South Lake Drive, Lexington, SC 29072
Telephone - 803-785-8103 -- FAX 803-785-8101

2:05 p.m. - 2:10 p.m. - Planning and Administration

- (1) Zoning Map Amendment M05-07 - 2261 North Lake Drive **A**
- (2) Old Business/New Business
- (3) Adjournment

2:10 p.m. - 2:20 p.m. - Justice

- (1) False Alarm Ordinance - Sheriff's Department - Major John Tate, General Counsel **B**
- (2) Old Business/New Business
- (3) Adjournment

2:20 p.m. - 2:35 p.m. - Health & Human Services

- (1) Fire Prevention and Safety Grant - Public Safety/Fire Service - Chief Russell Rawl, Fire Service Coordinator **C**
- (2) Position Changes/Reclassification - Public Safety/Fire Service - Chief Russell Rawl, Fire Service Coordinator **D**
- (3) Old Business/New Business
- (4) Adjournment

2:35 p.m. - 2:50 p.m. - Public Works

- (1) "C" Fund Program Information - Public Works - John Fechtel, Director **E**
- (2) "C" Fund Special Projects Request - Public Works - John Fechtel, Director **F**
- (3) Old Business/New Business - Solid Waste Funding
- (4) Adjournment

2:50 p.m. - 3:15 p.m. - Economic Development

- (1) Fire Hydrant - Mr. Steve Derrick, Southern Propane Systems, Inc., 133 Heidelberg Drive Leesville, SC 29070
- (2) Fire Hydrant Cost - Mr. Ashley Rawl, Director of Sales, Walter P. Rawl & Sons, Inc., 518 Walter Rawl Road, Gilbert, SC 29054 **G**

- (3) **South Carolina Electric and Gas (SCE&G)**
 - (A) Adoption of the Resolution Authorizing an Agreement to Amend the Fee Agreement Between Lexington County and SCE&G **II**
 - (B) Ordinance 05-10 - Authorizing the Execution and Delivery of a First Amendment to the Fee Agreement Between Lexington County and SCE&G - 1st Reading **I**
 - (C) Ordinance 05-11 - Amend the Multi-County Industrial Park with Calhoun County to add Property **J**
- (4) **Honeywell Nylon LLC**
 - (A) Ordinance 05-12 - Approving the Amendment to, and Assignment of Certain Interests of Honeywell Nylon LLC in, the FILOT Lease Agreement, Inducement Agreement and Millage Rate Agreement, and Memorandum of Lease Agreement - 1st Reading **K**
- (5) Old Business/New Business - Fire Hydrants
- (6) Adjournment

3:15 p.m. - 4:15 p.m. - Committee of the Whole

- (1) Silvercreek Subdivision - Mr. Kevin Walker, Member, Silvercreek Homeowners' Association, 109 Brass Court, Lexington, SC 29072 **L**
- (2) Silvercreek Subdivision - Mr. Jack Wilkie, Developer, Silvercreek Subdivision, 119 Foxglen Circle, Lexington, SC 29072
- (3) Relocation of Grave Site - James O. Spence, Attorney - 218 E. Main Street, Lexington, SC 29072 **M**
- (4) Establish Fee Pursuant to Section 54-81 of Ordinance 05-05 Accepting or Disapproving Applications for Recycling/Processing Centers, Mining Operations, and Land Clearing Debris Landfills and Landfill Location Review Application - Community Development - Bruce Hiller, Development Administrator **N**
- (5) Southeastern Associates - LCD Landfill - Notification of Public Hearing - Community Development, Bruce Hiller, Development Administrator **O**
- (6) New Stormwater Fees and Expenditures - Public Works - John Fechtel, Director **P**
- (7) Old Business/New Business
- (8) Adjournment

Planning & Administration

J. Owens, Chairman
J. Jeffcoat, V Chairman
J. Carrigg, Jr.
B. Derrick
D. Summers
T. Cullum

Justice

S. Davis, Chairman
T. Cullum, V Chairman
J. Owens
B. Keisler

Health & Human Services

J. Carrigg, Jr., Chairman
S. Summers, V Chairman
J. Owens
B. Keisler
J. Jeffcoat
T. Cullum

Public Works

B. Derrick, Chairman
B. Keisler, V Chairman
S. Davis
J. Owens
T. Cullum

Economic Development

J. Jeffcoat, Chairman
S. Davis, V Chairman
B. Derrick
J. Carrigg, Jr.
T. Cullum

Committee of the Whole

T. Cullum, Chairman
J. Owens, V Chairman
B. Derrick
S. Davis
D. Summers
B. Keisler
J. Jeffcoat
J. Carrigg, Jr.

A G E N D A
LEXINGTON COUNTY COUNCIL
Tuesday, September 27, 2005
Second Floor - Council Chambers - County Administration Building
212 South Lake Drive, Lexington, South Carolina 29072
Telephone - 803-785-8103 FAX - 803-785-8101

4:30 P.M. - COUNCIL CHAMBERS

Call to Order/Invocation

Pledge of Allegiance

**8-hour Ozone Early Action Compact (EAC) Recognition Award - Presented by Henry Phillips,
SCDHEC - Bureau of Air Quality**

Employee Recognition - Art Brooks, County Administrator

Employee of the Quarter

Shining Stars

Presentation of Resolutions

- (1) Chief Michael F. Sornfeld Presented by Councilman Johnny Jeffcoat
- (2) Frank R. Stover, Jr. Presented by Councilman Billy Derrick

Resolution

- (1) Gilbert Community Commending Veterans Q

Appointments R

Delayed Items

- (1) Ordinance 05-02-B - An Ordinance Adopting a Supplemental Appropriation for Fiscal
Year 2004-05 - 3rd and Final Reading S
- (2) Proposed Building to House South Region - Public Safety/Law Enforcement T

Bids/Purchases/RFPs

- (1) Motorola 800 MHZ Radio and Accessories - Animal Services U
- (2) Solid Waste Collection (Green Box Service) - Term Contract - Countywide V

(3) Construction of a Fuel Farm, Access Road and Apron Expansion at the Lexington County Airport at Pelion	W
(4) Wireless RoamAbout Equipment and Software - Public Safety/Emergency Medical Services ...	X
(5) Fleet Vehicle Replacements - Public Safety/Fire Service	Y
(6) Installation of Generator at South Congaree Fire Station - Public Safety/Fire Service	Z
(7) Motorola VHF Portable Radios and Accessories and Motorola Minitor IV Pagers and Accessories - Public Safety/Fire Service	1
(8) Thermal Imaging Cameras - Public Safety/State Homeland Security	2
(9) Replace Vinyl Siding/Fascia Board on Roof Eaves at Annex - Sheriff's Department/Building Services	3
(10) Shingle Replacement - Sheriff's Annex - Sheriff's Department/Building Services	4

Chairman's Report

November and December 2005 Schedule	5
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Administrator's Report

Committee Reports

Health & Human Services, J. Carrigg, Jr., Chairman

- (1) Fire Prevention and Safety Grant - Public Safety/Fire Service - **Tab C**
- (2) Position Changes/Reclassification - Public Safety/Fire Service - **Tab D**

Public Works, B. Derrick, Chairman

- (1) "C" Fund Special Projects Request - Public Works - **Tab F**

Economic Development, J. Jeffcoat, Chairman

(1) South Carolina Electric and Gas (SCE&G)

- (A) Adoption of the Resolution Authorizing an Agreement to Amend the Fee Agreement Between Lexington County and SCE&G - **Tab H**
- (B) Ordinance 05-10 - Authorizing the Execution and Delivery of a First Amendment to the Fee Agreement Between Lexington County and SCE&G - 1st Reading - **Tab I**
- (C) Ordinance 05-11 - Amend the Multi-County Industrial Park with Calhoun County to add Property - **Tab J**

(2) Honeywell Nylon LLC

- (A) Ordinance 05-11 - Approving the Amendment to, and Assignment of Certain Interests of Honeywell Nylon LLC in, the FILOT Lease Agreement, Inducement Agreement and Millage Rate Agreement, and Memorandum of Lease Agreement - 1st Reading - **Tab K**

Committee of the Whole, T. Cullum, Chairman

- (1) Establish Fee Pursuant to Section 54-81 of Ordinance 05-05 Accepting or Disapproving Applications for Recycling/Processing Centers, Mining Operations and Land Clearing Debris Landfills and Landfill Location Review Application - Community Development - **Tab N**
- (2) Southeastern Associates - LCD Landfill - Notification of Public Hearing - Community Development - **Tab O**
- (3) New Stormwater Fees and Expenditures - Public Works - **Tab P**

6:00 P.M. - Public Hearings

- (1) Ordinance 05-07 Amend the Agreement for Development of Joint County Industrial Park Between Lexington County and Calhoun County - The Electric Controller and Manufacturing Company, LLC **6**
- (2) Ordinance 05-08 - Authorizing an Amendment to a Lease Agreement Between Lexington County and Michelin North America, Inc. with Regard to the Investment to be Made by the Company in Connection with the Fee in Lieu of Tax Payments and Infrastructure Tax Credits **7**
- (3) Zoning Text Amendment T05-09 - Article 2, Application of Regulations, Chapter 5, Signs - **8**
- (4) Zoning Map Amendment M05-08 - Ginny Lane **9**
- (5) Zoning Map Amendment M05-10 - 2121 Lake Murray Blvd., Coldstream Golf Course Property **10**

Michelin North America, Inc.

- (1) Ordinance 05-08 - Authorizing an Amendment to a Lease Agreement Between Lexington County and Michelin North America, Inc. with Regard to the Investment to be Made by the Company in Connection with the Fee in Lieu of Tax Payments and Infrastructure Tax Credits - 3rd and Final Reading - **Tab 7**

Budget Amendment Resolutions

OLD BUSINESS/NEW BUSINESS

EXECUTIVE SESSION/LEGAL BRIEFING

MATTERS REQUIRING A VOTE AS A RESULT OF EXECUTIVE SESSION

ADJOURNMENT



STAFF SUMMARY ZONING MAP AMENDMENT #M05-07

Description of the Amendment: This map amendment request is for a change in zoning classification from "Neighborhood Commercial(C1)" to "General Commercial(C2)."

Character of the Area: There is a mix of residential(single family and condominiums in the area) with a gas station at the corner of River Dr. and North Lake Dr.

Zoning History: This property is in the Dutch Fork Planning Area zoned in 1971/1974. Over the years there have been approximately ten(10) map amendment requests in the immediate area .

Council District: Six-Councilman Johnny W. Jeffcoat

Attachments: Chart of Allowed Uses by Zoning District
Political Boundaries Maps
Location Maps

However, home occupation day care is not subject to the 25% of total floor area restriction, or the 750 square feet of floor area restriction imposed on other home occupations. Also, home occupation day care may be conducted outside on the premises using yard furnishings customary to the residential setting. Additional traffic generation from one delivery and one pick up of each individual each day shall be considered within the limitations of item "e" above. The Board of Zoning Appeal's deliberations shall include, but not be limited to, the following items:

1. the size of the residence and the outside recreation area;
2. parking and vehicular access to the residence and its ability to accommodate the drop-off and pick-up of the additional individuals;
3. the stated opinions of the surrounding property owners; and
4. if requested, the acceptability of having an employee ("caregiver" as defined by the South Carolina Department of Social Services) who is not a resident of the dwelling unit.

21.30 Permitted Uses by District


The columnar chart which follows describes the activities permitted within each district. This chart is based upon the list of principal activities defined in Section 21.10 of this Ordinance and the districts established in Section 11.40, and is subject to the following:

- a. The listing of a permitted activity within a district may be voided upon the application of the special overlay district regulations pertaining to flooding, drainage, or airports found in Articles 4 and 5 of this Ordinance.
- b. The provisions of Chapters 2, 3, and 4 of this Article shall apply in all districts to all listed activities as applicable. The application of these provisions may prohibit an activity from locating in a particular district.
- c. Within the Limited Restriction (LR) district, all activities except the following are permitted without review for compliance with the specific provisions of this Ordinance:

Extremely Hazardous Materials as regulated by Article 3
Mining Operations as regulated by Article 8
Mobile Home Parks as regulated by Article 7
Sexually Oriented Businesses as regulated by Article 10

21.31 Chart of Permitted Activities by District

Those activities that are marked by an asterisk (*) are allowed only when granted a special exception by the Board of Zoning Appeals as outlined in Article 12 of this Ordinance.



RI	R2	R3	RD	RA	RD	LC	C1	C2	ID	LR	ACTIVITIES
					XX	XX	XX	XX	XX	XX	Administrative Offices
					XX		XX	XX	XX	XX	Advertising Signs
				XX	XX	XX	XX	XX	XX	XX	Airports
			XX	XX	XX				XX	XX	Animal Operations
		XX		XX	XX		XX	XX	XX	XX	Boat Docks
					XX				XX	XX	Bus and Transit Terminals
					XX			XX	XX	XX	Business Services
	XX	XX	XX	XX	XX			XX	XX	XX	Cemeteries
	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Child or Adult Day Care
XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Churches
					XX				XX	XX	Communication Towers
XX	XX	XX	XX	XX	XX			XX	XX	XX	Community Education
					XX			XX	XX	XX	Construction Services

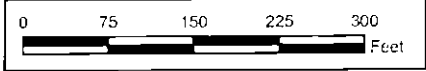
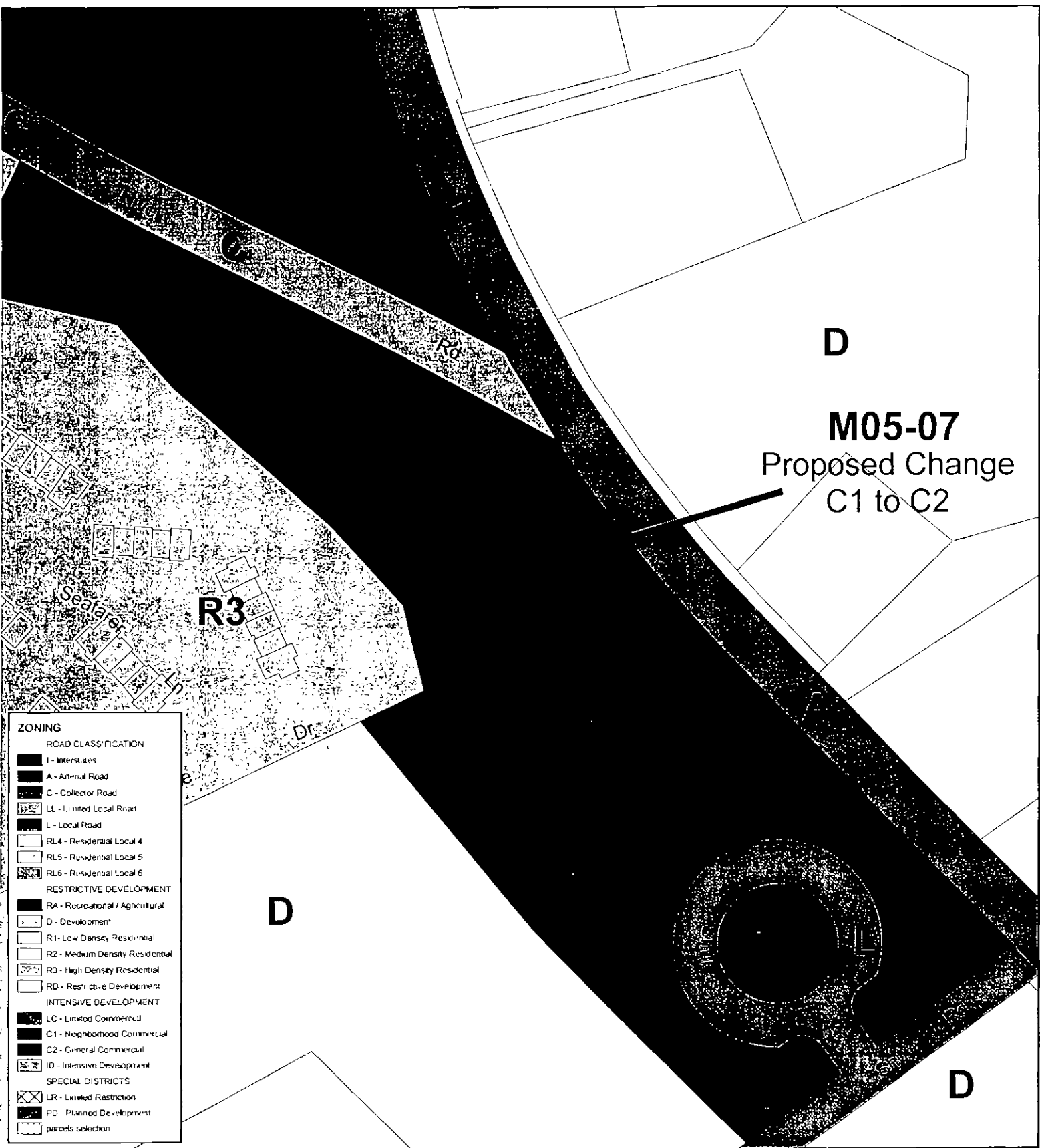


R1	R2	R3	D	RA	RD	LC	G1	G2	ID	LR	ACTIVITIES
			XX	XX	XX				XX	XX	Crops
					XX				XX	XX	Detention Centers
XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Essential Services (Limited)
	XX	XX	XX	XX	XX			XX	XX	XX	Essential Services (Extensive)
				XX	XX			XX	XX	XX	Food Services
					XX			XX	XX	XX	General Repair and Maintenance Services
					XX		XX	XX	XX	XX	General Retail (Limited)
					XX			XX	XX	XX	General Retail (Extensive)
XX#	XX#	XX#	XX#	XX	XX		XX	XX	XX	XX	Group Assembly (Limited)
				XX	XX			XX	XX	XX	Group Assembly (Intermediate)
					XX			XX	XX	XX	Group Assembly (Extensive)
		XX	XX	XX	XX	XX	XX	XX	XX	XX	Group Housing
					XX		XX	XX	XX	XX	Hospitals
			XX	XX	XX				XX	XX	Kennels and Stables
					XX				XX	XX	Landfills (Limited)
					XX				XX	XX	Landfills (Intermediate)
					XX				XX	XX	Landfills (Extensive)
					XX			XX	XX	XX	Manufacturing (Light Assembly)
					XX				XX	XX	Manufacturing (Limited)
					XX				XX	XX	Manufacturing (Intermediate)
					XX				XX	XX	Manufacturing (Extensive)
					XX			XX	XX	XX	Marinas
					XX	XX	XX	XX	XX	XX	Medical Services
					XX				XX	XX	Military Installations
			XX		XX			XX	XX	XX	Mining (Limited)
					XX				XX	XX	Mining (Intermediate)
					XX				XX	XX	Mining (Extensive)
XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Mini-Parks
					XX			XX	XX	XX	Mini-Warehouses
	XX	XX	XX	XX	XX		XX	XX	XX	XX	Mobile Homes
		XX			XX			XX	XX	XX	Mobile Home Parks (Limited) *
		XX			XX			XX	XX	XX	Mobile Home Parks (Extensive) *
XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Natural Reserves
				XX	XX	XX	XX	XX	XX	XX	Non-Assembly Cultural
	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Nursing Homes
					XX		XX	XX	XX	XX	Personal Convenience Services
			XX	XX	XX	XX	XX	XX	XX	XX	Plant Nurseries
					XX				XX	XX	Power Plants
					XX	XX	XX	XX	XX	XX	Professional Services
					XX				XX	XX	Radioactive Materials Handling
					XX				XX	XX	Railroad
					XX				XX	XX	Recycling Centers
					XX			XX	XX	XX	Research Services
XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Residential Detached
	XX	XX			XX	XX	XX	XX	XX	XX	Residential Attached (2 dwelling units)
		XX			XX			XX	XX	XX	Residential Attached (3 or more dwelling units)
		XX			XX			XX	XX	XX	Retirement Centers/Assisted Living



RF	R2	R3	D	RA	RD	EC	G	CA	MD	LR	ACTIVITIES
					XX				XX	XX	Salvage/Wrecking Yard
					XX				XX	XX	Scrap Operations
					XX		XX	XX	XX	XX	Business Parks
					XX			XX	XX	XX	Shopping Centers
					XX				XX	XX	Industrial Parks
					XX			XX	XX	XX	Towing and Impoundment Lot
					XX			XX	XX	XX	Trade Enterprises
					XX			XX	XX	XX	Transient Habitation
					XX			XX	XX	XX	Transport and Warehousing (Limited)
					XX				XX	XX	Transport and Warehousing (Extensive)
					XX		XX	XX	XX	XX	Transport Services
					XX			XX	XX	XX	Undertaking
XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Utilities
					XX			XX	XX	XX	Vehicle Parking
					XX			XX	XX	XX	Vehicle Repair
					XX			XX	XX	XX	Vehicle Sales
					XX		XX	XX	XX	XX	Vehicle Servicing (Limited)
					XX			XX	XX	XX	Vehicle Servicing (Extensive)
				XX	XX			XX	XX	XX	Veterinarian
				XX	XX			XX	XX	XX	Zoos

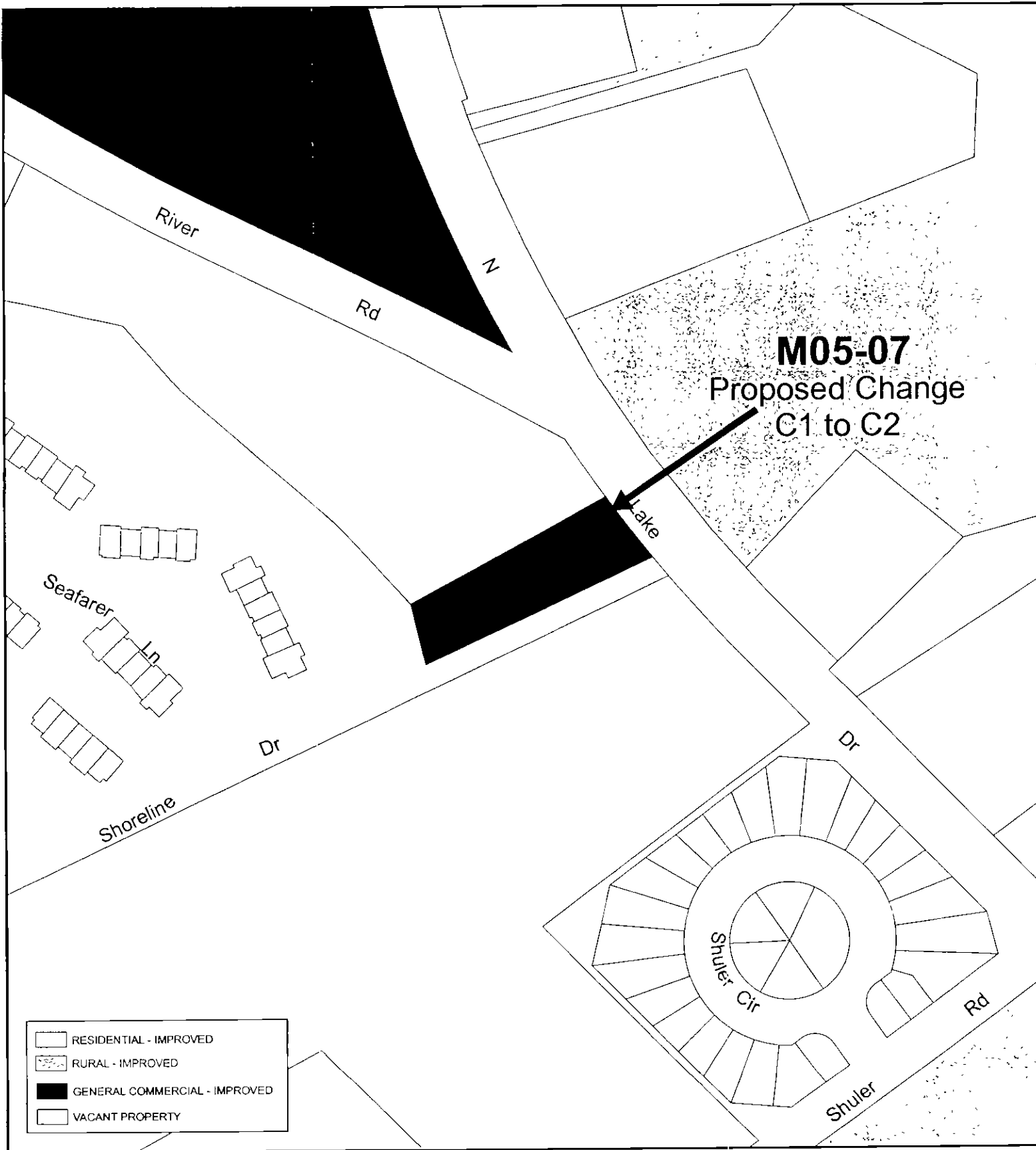
The permitting of this activity in these districts is allowed only if the Group Assembly (Limited) activity is a membership facility owned, operated, and used by the property owners in the surrounding residential area for which the facility is being established.



Existing Zoning

Map Amendment # M05-07

TMS # 002696-02-006



Existing Landuse
Map Amendment # M05-07
TMS # 002696-02-006

Diana Burnett

From: Walt McPherson [wmcpherson@lex-co.com]
Sent: Thursday, September 01, 2005 9:41 AM
To: dburnett@lex-co.com
Subject: FW: Zoning Map Amendment # M05-07

m05-07

-----Original Message-----

From: Danny Koon [mailto:Danny@schac.state.sc.us]
Sent: Thursday, September 01, 2005 9:21 AM
To: wmcpherson@lex-co.com
Subject: Zoning Map Amendment # M05-07

September 1, 2005

Mr. Walt McPherson, Zoning Administrator
County of Lexington, Community Development Office
212 South Lake Dr.
Lexington, SC 29072

Dear Mr. McPherson:

Thank you for speaking with me the other day regarding the proposed change in the zoning classification for property from "Neighborhood Commercial" (C1) to "General Commercial" (C-2) located at 2261 North Lake Dr., identified by TMS#2696-02-006.

As I mentioned over the phone, my parents Henry D. and Verta Koon live right across the road from the proposed change 2272 North Lake Dr. and my property, 2272 North Lake Dr., is also across the road from the location of the proposed change.

Please note that we are opposed to the change and I hope you will express this to the appropriate people.

We believe that the County of Lexington Zoning Department has properly classified the property in its current state of Neighborhood Commercial. Obviously, the area is mainly neighborhood and we do not desire the character of the neighborhood to change. Making an exception for one location could only add to other proposed changes and would also allow this property to change to an undesirable establishment should the current business change.

In addition, while I truly wish the best for the current business and hope that it is a success, and while I love BBQ, I do not want to smell the smoke from the BBQ pit on a constant basis. Currently the aroma of unpleasant greasy food does cross the road to our property and I just do not care to have BBQ smoke which would be produced on a more frequent basis to cross the road on a daily basis.

My family has been in Lexington County for 9 generations, and I am a life long resident of the County, I would be very grateful if the Lexington County Council would deny this request.

Sincerely,

Daniel H. Koon
Adjacent Property Owner

M05-07

September 1, 2005

Mr. Walt McPherson, Zoning Administrator
County of Lexington, Community Development Office
212 South Lake Dr.
Lexington, SC 29072

Dear Mr. McPherson:

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As I mentioned over the phone, my parents Henry D. and Verta Koon live right across the road from the proposed change at 2260 North Lake Dr. and my property, 2272 North Lake Dr., is also across the road from the location of the proposed change.

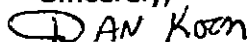
Please note that we are opposed to the change and I hope you will express this to the appropriate people.

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My family has been in Lexington County for 9 generations, and I am a life long resident of the County, I would be very grateful if the Lexington County Council would deny this request.

Sincerely,

 Daniel H. Koon

Daniel H. Koon

Adjacent Property Owner

Sheriff

James R. Metts, Ed. D



LEXINGTON COUNTY SHERIFF'S DEPARTMENT

September 19, 2005

The Honorable George H. "Smokey" Davis
Justice Committee Chairperson
Lexington County Council
212 South Lake Drive
Lexington, South Carolina 29072

Dear Councilman Davis,

I sincerely appreciate your and the Justice Committee's time and attention during your August meeting when we discussed the potential false burglar alarm ordinance. Please find enclosed a refined draft of the previously provided material. I have taken the liberty of incorporating your committee's comments and recommendations and will certainly be available at your next scheduled meeting should questions arise.

I look forward to our working together to formulate a cost-effective and operationally sound legislative solution to this rather costly and time consuming false burglar alarm dilemma. Should further arise in the interim, or if I may answer any questions for you or your staff, please do not hesitate to contact me directly.

Best regards,

John W. Tate
General Counsel

Cc: Chief Bruce Rucker, Director of Public Safety
Chief Keith Kirchner, LCSD



A Nationally Accredited Law Enforcement Agency
P.O. Box 639/Lexington, South Carolina 29071 (803) 359-8230, Fax # (803) 359-1162



LEXINGTON COUNTY SHERIFF'S DEPARTMENT

August 15, 2005

The Honorable George H. "Smokey" Davis
Justice Committee Chairperson
Lexington County Council
212 South Lake Drive
Lexington, South Carolina 29072

Dear Councilman Davis,

As you are no doubt aware from the recent "LCSD Operational Analysis" provided to Council last month, the false burglar alarm call and associated response is an increasing problem across Lexington County. As is effectively presented in the report, the twelve months studied revealed seven thousand and fifty-five (7,055) law enforcement responses to false burglar alarm calls utilizing some two thousand, seven hundred and sixty seven (2,767) man-hours with an estimated cost in excess of sixty eight thousand dollars (\$68,000). Indeed, less than one half of one percent (0.5%) of all burglar alarm calls so far this year has actually been the result of criminal activity.

Several years ago after initially identifying this concern, the department undertook a program of notification and voluntary compliance in an attempt to reduce the false responses. That program included visits to repeat violators by Region and District Commanders, formal notice letters, and alarm priority reduction. Unfortunately, while several locations responded favorably, many did not and the problem continues to consume valuable fiscal and human resources.

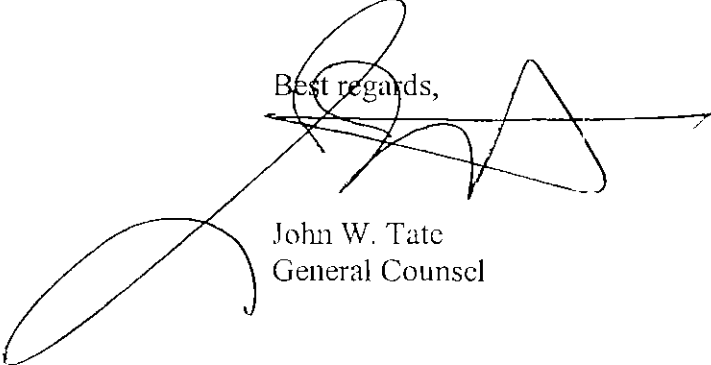
Therefore, the department undertook to further identify the underlying causes and develop strategies to reduce responses to false burglar alarms. While a student at the Southern Police Institute, Capt. Mike Gordon conducted a nationwide survey of such problems and solutions which have shown promise in other jurisdictions. Further, the department has maintained an ongoing investigation into the problem, met with representatives of the alarm industry, and individually surveyed problem alarm owners. Each identified potential solution tended to include both alarm user education and a comprehensive Burglar Alarm Ordinance. The education component is accomplished by general public education, specific education of new alarm users by the installers, and continuing education of problem alarm owners by deputies through preprinted materials.



The lynchpin of any false alarm reduction strategy is a comprehensive Burglar Alarm Ordinance. A model ordinance has been published by the National Fire and Burglar Alarm Association in conjunction with the False Alarm Reduction Association. This sample ordinance, available for your review, is merely a starting point and certainly may be modified for the specific needs of our county. Richland County also has adopted a false alarm ordinance for burglar alarms in their jurisdiction. Any ordinance contemplated should necessarily include an alarm user registration, the regulation/registration of installers¹, a "Do Not Respond" list for habitual non-complying locations, and an escalating fine/fee schedule. The program and the enforcement of fees/fines may be either administered through County Administration or "outsourced" to a private vendor.²

False burglar alarm activations and the associated law enforcement responses continue to unnecessarily consume vast quantities of fiscal and human resources in the public safety arena. The existing program of "voluntary compliance" and education of alarm owners has simply not been wholly effective in solving the problem. As Lexington County continues to grow, so does the false alarm problem. Therefore, the Sheriff's Department is requesting Council to move forward in developing and adopting a comprehensive false burglar alarm ordinance as a cornerstone to managing effective law enforcement and fiscal response to our citizens.

Best regards,



John W. Tate
General Counsel

Cc: Chief Bruce Rucker, Director of Public Safety
Chief Keith Kirchner, LCSD

¹ Improper installation and inadequate maintenance are often identified as the primary culprits in false alarm activation.

² Charlotte-Mecklenburg Police Department currently out-sources their program with reported success. The developer of this program has offered to present his findings to Lexington County should we so wish.

DRAFT FALSE BURGLAR ALARM ORDINANCE¹

Purpose

This article is intended to protect the health, safety and welfare of the people of Lexington County by minimizing the misuse of law enforcement, fire, rescue and emergency medical service resources caused by false alarms and telephone alarm devices, thereby allowing these resources to be accessible and available in the event these resources are needed by members of the community.

Definitions

Unless it is clear from the context that another meaning is intended, the following words when used in this article shall have the meanings attributed to them by this section:

Alarm businesses means a business for which any individual, partnership, corporation or other entity engaged in selling, leasing, maintaining, servicing, repairing, altering, replacing, moving or installing or monitoring any alarm system or causing to be sold, leased, maintained, serviced, repaired, altered, replaced, moved, installed or monitored, any alarm system in or on any building, structure or facility either privately or publicly owned.

Alarm malfunction means the activation of security, fire or life alert alarm system which results in the response by law enforcement or public safety caused by mechanical failure, malfunction, improper installation, or lack of proper maintenance, or any other response for which the responding personnel are unable to gain access to the premises for any reason, or are unable to determine the apparent cause of the alarm activation.

Alarm monitoring agency means any business as that has the responsibility of monitoring alarm systems.

Alarm systems shall mean a fire, life alert or security alarm system.

Alarm system technician means any person who inspects, installs, repairs or performs maintenance on alarm systems.

Automatic telephone dialing device or digital alarm communicator system means an alarm system which automatically sends a prerecorded voice message or coded signal over a regular telephone line by direct connection or otherwise, indicating the existence of the emergency situation that the alarm system is designed to detect.

False alarm means the activation of any security, fire or life alert alarm system which results in the response of law enforcement or public safety, caused by the negligence or intentional misuse of the system by the owner or his or her employees, servants, agents or

¹ False Fire Alarm information may be integrated into this ordinance or be allowed to "stand alone" at Council's pleasure

any other activation not caused by forced entry, attempted forced entry or criminal act exclusive of alarm malfunctions as defined above. An activated alarm is not considered a false alarm if the alarm is activated due to malicious cause beyond the control of the owner, or to acts of God beyond the control of the owner such as lightning strikes or severe weather conditions.

Fire alarm system shall mean any mechanical, electrical or radio-controlled device designed to emit a sound or transmit a signal or message when activated or any such device that emits a sound and transmits a signal or message when activated because of smoke, heat or fire. Without limiting the generality to the foregoing, alarm systems shall be deemed to include audible alarms at the site of the installation of the detection device, proprietor alarms and automatic telephone direct dial devices or digital alarm communicator systems. A single station smoke detector shall not be deemed to be an alarm system under this article.

Key holder/emergency contact means the person(s) designated in writing by the owner of the alarm system as a holder of keys to the alarm system who is thereby authorized to respond to an activated alarm of the owner.

Law enforcement means the Lexington County Sheriff's Department

Life alert alarm system means any mechanical, electrical or radio-controlled device which is designed to automatically send a prerecorded voice message or coded signal through an automatic telephone dialing device or digital alarm communicator system, indicating the existence of an emergency medical situation to which public safety is expected to respond.

Owner means any person who owns the premises in which an alarm system is installed or the person(s) who lease, operate, occupy or manage the premises.

Public safety means the department of public safety which includes fire rescue and emergency medical services.

Security alarm system means any mechanical, electrical or radio-controlled device which is designed to be used for the detection of any unauthorized entry into a building, structure or facility, or for alerting others of the commission of an unlawful act within a building, structure or facility or both, which emits a sound or transmits a signal or message when activated.

Duty of owner, occupant, or lessee of premises.

- (a) Newly installed or substantially modified systems shall be allowed to operate for a period of 30 days from the date of installation or modification without penalty for false alarms, provided the sheriff's department and department of public safety are notified of the installation or the modification in advance of same.
- (b) Owners or lessees of existing alarm systems as defined in section _____ shall have 30 days from _____ to comply with the above notice requirements. Further, within _____ days of the adoption of this ordinance, all owners and lessees of alarms systems must notify Lexington County Communications of the location of their alarms system, the name of the monitoring company, and provide a minimum of three keyholders available to respond to the location at any time during the day or night upon request
- (c) Prior to any testing of any alarm system, the owner or lessees shall notify law enforcement and public safety.
- (d) Owners or lessees of any alarm system shall provide response to the alarm location, when requested, in order to reset or disable the alarm system within thirty minutes of notification. Failure to provide such response shall result in a charge of \$50.00 for each such occurrence. Repeated failure to provide a response shall result in disconnection of the alarm system and no response from either law enforcement or public safety as further provided herein unless such response is otherwise required by law.
- (e) The operator of every place of business which utilizes an alarm system, as defined in section _____ shall provide, visible from the exterior of such business and adjacent to the main entrance, a minimum of three current working telephone numbers of persons to be notified in case of emergency or in lieu thereof have on file with County Communications, three current working telephone numbers of persons to be notified in a case of emergency.
- (f) In the event of an alarm activation deemed by the responding department to be the result of an alarm malfunction, the owner will be served an "alarm cause and corrective action" form by the responding department, indicating that the activation was deemed to be the result of a malfunction, and requiring the owner to return the completed "alarm cause and corrective action" form within 20 days of such alarm activation which can verify to the satisfaction of the responding department official that the alarm system in question has actually been examined by an alarm technician and that a bona fide attempt has been made to identify and correct any defect of design, installation or operation of the alarm system which was identifiable as the cause of the alarm malfunction. Failure to return an "alarm cause and corrective action" form within such 20-day period which is satisfactory to the responding department official will result in assessment against the owner of a fine of \$100.00 for the alarm malfunction.

The "alarm and corrective action form" service may be accomplished by posting in First Class Mail to the alarm activation location or hand delivered to the location by a sheriff's deputy or other suitable person.

Requirements of alarm monitoring agency.

(a) All alarm monitoring agencies are required to furnish the responding department with the following information when dispatching or reporting an alarm:

- (1) Give the name of the monitoring agency;
- (2) Give the name or identification number of the reporting operator;
- (3) Give a call back telephone number of the monitoring agency;
- (4) Give the name of business or homeowner and address of the activated alarm;
- (5) If a call has been made to a keyholder, the keyholder's name and estimated time of arrival; and
- (6) Any other information that may be necessary or required by the individual responding agencies.

(b) It shall be the duty of all alarm businesses to furnish at their expense the most current copy of the Lexington County Alarm Ordinance to their existing customers within 60 days of adoption of ordinance and immediately to all new alarm users upon adoption of this ordinance.

Fees charged; alarm malfunctions and false alarms.

(a) *False alarm fee.* No fee shall be assessed for the first three false alarms at the same premises responded to by law enforcement or public safety during each calendar year. Thereafter, the following fees shall be paid by the owner for each false alarm at the same premises during such calendar year:

Number of false alarm	Fee per false alarm
Fourth	\$ 50 00
Fifth	75 00
Sixth	100 00
Seventh and above	200 00 each

(b) *Alarm malfunction administrative fee* As to all alarm malfunctions responded to by law enforcement or public safety, the owner shall be assessed a fine of \$100.00, unless within 20 days he returned to the responding department an "alarm cause and corrective action" form deemed satisfactory by the responding department official. For those alarm malfunctions that the owner returned a satisfactory "alarm cause and corrective action" form, alarm malfunctions during each calendar year shall be exempt from any fees in excess of the administrative fee schedule set forth in this subsection. In those cases in which the owner provided the department official with a satisfactory "alarm cause and corrective action" form, the following administrative fee shall be paid.

ADMINISTRATIVE FEE SCHEDULE

Number of alarm malfunctions	Fee
Fourth ..	\$25.00
Fifth	25.00
Sixth ..	25.00
Seventh and above	50.00 each

(c) Should any fee assessed pursuant to this chapter remain unpaid in excess of 90 days from the date the charge is billed, a collection fee in the amount of 35 percent on the outstanding balance shall be assessed and shall be payable by the owner of the premises in addition to the original fee. The owner shall be responsible for any legal fees or costs incurred by the county in enforcement of this chapter.

(d) The County shall collect such fees and shall maintain an accounting of those fees collected pursuant to this section. The _____ shall retain, as service costs, \$2.00 from the assessed fee. The county manager's office shall notify the Treasurers Office of any appeals from fee assessments requested pursuant to _____ within 24 hours of receiving such request. The Treasurer is hereby directed to deposit the collected fees in the department's fund which responds to the alarm. Notwithstanding the above, the County may elect to outsource the collection and administration of this program to a private vendor except for Section _____ (Appeals)² consistent with applicable provisions of the procurement ordinance.

² Outsourcing these type programs have proven viable in other parts of the county including Charlotte-Mecklenburg. Obviously, the goal remains to reduce false alarm response while contracting the administrative functions.

(c) For the purposes of determining the number of false alarms for the above code sections, only one (1) activation may be counted in a twenty-four hour period.

Disconnection of alarm system.

(a) Except for premises protected by an alarm system as required by law, the sheriff's department or public safety is authorized to order the disconnection or deactivation of any alarm system by written notice to the owner of the premises wherein an alarm system is installed for any of the following reasons:

- (1) Failure to make all requirements or pay the fees provided for in this chapter within 15 days of the charging of the fees; or
- (2) Failure of the owner to provide a written alarm cause and corrective action form as required by this chapter; or
- (3) A false alarm or alarm malfunction at a premises for which a fee is charged pursuant to this chapter as a result of the failure of the owner to take corrective action to eliminate the cause of the false alarm; or
- (4) The failure of a person notified pursuant to this chapter to appear within one hour after being noticed to respond, if such failure to timely appear occurs four or more times within a calendar year.

(b) The written notice issued by the sheriff's department or public safety to disconnect or deactivate shall be mailed to the owner and shall specify the date on which the owner shall be required to disconnect or deactivate the alarm system, which date shall be at least 15 days following the date of the notice. The owner may appeal the order to disconnect pursuant to section _____.

(c) The Sheriff's Department may suspend response to any alarm received from a location which has an order to disconnect or deactivate its alarm system as described herein unless there is a separate indication that a crime is in progress.

Appeal

(a) The county manager or designee will serve as hearing officer for appeals from owners that have been noticed to disconnect or deactivate an alarm system or have been assessed fees for alarm malfunctions or false alarms. If the county manager elects a designee to serve as hearing officer, that designee shall not be with the sheriff's or public safety departments.

(b) An appeal must be in writing, submitted to county administration, stating the reasons why the order to disconnect or deactivate should be withdrawn, and shall be made within 15 days of the date of the notice to disconnect or receipt of any false alarm malfunction report. The alarm user shall have the burden of proof by preponderance of the evidence.

(c) The hearing officer shall send notice of hearing to the owner within 15 days prior to the appeal hearing and shall make written findings available to the alarm owner, law enforcement or public safety within ten days from the date the hearing is concluded.

(d) If the hearing officer affirms the order to disconnect or deactivate an alarm system, the owner shall have five days following the mailing or the written decision of the hearing officer within which to comply with the order

Failure to disconnect or unauthorized reconnection of the alarm system

It shall be a violation of this Code for any person to fail to disconnect or deactivate an alarm system which has been ordered disconnected or deactivated pursuant to section _____, including those situations in which the hearing officer has affirmed the order to disconnect or deactivate. It shall be a violation of this Code for any person to reconnect an alarm system which has been disconnected or deactivated pursuant to the order of the sheriff's department or public safety, unless the reconnection of the alarm system is authorized pursuant to section _____ hereof.

Reconnection of alarm systems

Law enforcement or public safety shall have the right to inspect the alarm system and test same prior to rescinding the order to disconnect or deactivate. Before any reconnection of an alarm system and after the order to disconnect such system, a reconnection fee of \$25.00 shall be assessed.

Automatic telephone dialing alarm device or digital alarm communicator system

(a) It shall be a violation of this Code for any person to install, maintain, operate or use any automatic telephone dialing alarm device or digital alarm communicator system within the county if the system requires connection to the emergency communications center for law enforcement or public safety.

(b) It shall be unlawful for any person to install, maintain, operate or use any automatic telephone dialing alarm device or digital alarm communicator system within the county unless the system is currently approved by the Federal Communications Commission (FCC), and has been approved by law enforcement or public safety, unless otherwise required by law.

(c) Any person who violates the provisions of this section shall be punished as the provided for in section _____.

Audible sound systems

All new or existing audible sound systems shall sound no longer than five minutes for residential and ten minutes for businesses, unless otherwise required by underwriter's laboratories or law.

Penalty and enforcement

Any person who violates any provision of this section shall be guilty of an offense against the county and shall be punished as provided in section _____ of the Code of Ordinances. The provisions of this section may be enforced either by prosecution as a misdemeanor through Magistrate's Court of Lexington County or by any other legal or equitable form of action.

Alarm system operations

The county, its officers, employees and agents shall not assume any duty or responsibility for the installation, maintenance, operation, repair or effectiveness of any privately owned alarm system, those duties and responsibilities being solely those of the owner of the premises. Additionally, it shall be the responsibility of the owner of the premises to silence an activated alarm and thereafter reset the same. The county shall not provide, nor make available, the services of its sheriff's department or department of public safety to be an emergency communications center for use by owners as a central location for alarm system receiving equipment.

Governmental Immunity

Alarm registration is not intended to, nor will it, create a contract, duty or obligation, either expressed or implied of response. Any and all liability and consequential damage resulting from the failure to respond to a notification is hereby disclaimed and any and all governmental immunity as provided by law is retained. By utilizing an alarm system, the alarm user acknowledges that law enforcement response may be influenced by factors such as the availability of law enforcement units, priority of calls, weather conditions, traffic conditions, emergency conditions, staffing levels, and prior response history.

Severability

The provisions of the Ordinance are severable. If a court determines that any part or portion of this Ordinance is invalid or that the application of any part of this Ordinance to any person or circumstance is invalid, the remaining provisions and the application of those provisions to other persons or circumstances are not affected by that decision.

COUNTY OF LEXINGTON
FINANCE DEPARTMENT

**INTEROFFICE
MEMORANDUM**

to: County Council

from: Kristi Hornsby, Manager of Grants Administration

subject: Fire Prevention and Safety Grant

date: September 20, 2005

Fire Service is seeking approval to apply for a Fire Prevention and Safety Grant from the Department of Homeland Security. The Lexington County Fire Service will partner with Irmo Fire District, Batesburg-Leesville, Cayce, West Columbia, and the Airport Fire Departments to develop a countywide fire prevention program. The grant request will include the following:

Fire Prevention and Severe Weather Training Trailer - \$60,000
Fire Prevention Education Materials - \$10,000

The deadline to apply for this grant is 5:00 pm on October 7, 2005. Therefore, Fire Service is asking for Council's immediate consideration.

There are no matching requirements. No personnel will be funded by this grant.

cc: Bruce Rucker
Russell Rawl

[Skip Navigation](#)DEPARTMENT OF HOMELAND SECURITY
FEDERAL EMERGENCY MANAGEMENT AGENCY**U.S. Fire Administration**
Working for a Fire-Safe America

USFA Grants and Funding

This page contains information on financial assistance available from the U.S. Fire Administration and other Federal agencies for fire departments and other first responders. Highlighted information includes the Assistance to Firefighters Grant Program, the Catalog of Federal Domestic Assistance and ideas for funding alternatives.

Latest Updates

September 6, 2005

The application period for the 2005 Fire Prevention and Safety Grant Program is now open and will close on October 7, 2005 at 5:00 p.m. Eastern Daylight Time. To apply, please visit www.firegrantsupport.com.

August 22, 2005

Application guidance for the 2005 Fire Prevention and Safety Grant Program is now available on the [Assistance to Firefighters Grant Program](#) Web site. The application period is presently scheduled to begin on September 6, 2005 at 8:00 a.m. Eastern Daylight Time and will close on October 7, 2005 at 5:00 p.m. Eastern Daylight Time.

August 19, 2005

2005 Assistance to Firefighters Grant Program (AFGP) awards are now being announced. The AFGP will issue approximately 5,500 awards worth nearly \$600 million in direct assistance to firefighters and first responders throughout the country. To view the latest round of award announcements, please visit firegrantsupport.com.

August 19, 2005

The application period for the Staffing for Adequate Fire and Emergency Response (SAFER) grant ended June 28, 2005. Peer professionals reviewed the highest scoring applications the week

of July 18 at the National Fire Academy. Award announcements are expected to begin in late August. Monitor www.firegrantsupport.com for up-to-date information.

July 12, 2005

2005 application statistics for the Staffing for Adequate Fire and Emergency Response (SAFER) grants are now available on firegrantsupport.com.

Last Updated: September 12, 2005

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An official web site of the [Department of Homeland Security](#) and the [Federal Emergency Management Agency](#)
U S Fire Administration, 16825 S Seton Ave , Emmitsburg, MD 21727
Voice (301) 447-1000 Fax (301) 447-1346 Admissions Fax (301) 447-1441
[United States National Grid \(USNG\)](#) 18SQJ005965

<input checked="" type="checkbox"/> U.S. Department of Homeland Security	
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Office for Domestic Preparedness

<input checked="" type="checkbox"/> Assistance to Firefighters Grant Program	
<input type="checkbox"/> Home	
<input type="checkbox"/> Staffing for Adequate Fire and Emergency Response (SAFER)	
<input type="checkbox"/> Fire Prevention & Safety Grants	Fire Prevention & Safety Grants Part of the Assistance to Firefighters Grant Program
<input type="checkbox"/> Press Releases	<input checked="" type="checkbox"/> Click to view the 2005 FP&S Grant Applicant tutorial
<input type="checkbox"/> Guidance Documents	About FP&S Grants > Program Guidance > Frequently Asked Questions > Applicant Tutorial
<input type="checkbox"/> Award Announcements	Purpose of Grants
<input type="checkbox"/> Assistance to Firefighters (AFG) Fire Prevention (FPS)	The purpose of these grants is to enhance the safety of the public and firefighters respect to fire and fire-related hazards. The primary goal of the Assistance to Firefighters Grant (AFG) Program's Fire Prevention and Safety Grant (FPS) is to reach high-risk target groups in order to mitigate the high incidences of deaths and injuries. Additionally for Fiscal Year (FY) 2005 Congress amended the authorization to include funding for Firefighter Safety Research and Development. This guidance provides details for applying for either of these financial assistance instruments with no cost share requirement for the FY 2005 Fire Prevention and Safety grants.
<input type="checkbox"/> E-Grant Application	The authority of this program is derived from the Federal Fire Protection Act of 1974 (15 U.S.C. §§ 2229 et seq.), as amended. In fiscal year 2005, Congress reauthorized the AFG and appropriated a total of \$650,000,000 to the Department of Homeland Security's Office for Domestic Preparedness (ODP) to carry out the Assistance to Firefighters Grant (AFG) Program. The appropriated funds are available until September 30, 2006. The AFG program's authorization includes a requirement that no less than five percent of the appropriated funds support prevention activities. As such, no less than \$32,500,000 of the total appropriation has been reserved for the Fire Prevention and Safety grants. The award of competition prevention grants under this guidance will be sufficient to reach the statutory goal.
<input type="checkbox"/> FAQs	
<input type="checkbox"/> AFG Success Stories	
<input type="checkbox"/> Application Results	
<input type="checkbox"/> Subscribe To Newsletters	
<input type="checkbox"/> Contact Us	

U.S. Department of Homeland Security | Office for Domestic Preparedness



County of Lexington


DEPARTMENT OF PUBLIC SAFETY


212 South Lake Drive • Lexington, South Carolina 29072

TELEPHONE: (803) 359-8141 FAX (803) 359-8589

September 12, 2005

MEMORANDUM

To: Bruce E. Rucker 
Assistant Sheriff / Director of Public Safety

From: Russell Rawl 
Fire Service Coordinator

Reference: Position Changes / Reclassification

In an effort to more efficiently utilize existing authorized positions, I am requesting the following positions changes/reclassification.

I. PUBLIC SAFETY/FIRE SERVICE

Existing Positions

Reclassified Positions

Fire Chief (Grade 18)

Change to Fire Inspector (Estimated Grade 14)

The Fire Inspector primary duty will be to conduct fire and life safety inspections on new as well as existing commercial and public buildings. This person will also work closely with the Building Inspection's Department during the plan review and permitting process.

Chief Administrative Officer (Grade 19) Change to Administrative Assistant (Grade 9)

This change was previously approved by County Council on July 12, 2005

Four Captain Positions (Grade 14)

Change to Firefighter Position (Grade 8)

Apparatus Operators (Grade 10)

Change to Firefighter Position (Grade 8)

This provides for a more effective and efficient utilization of existing positions by eliminating supervisory positions and replacing them with front line firefighter positions.

It is estimated that the above changes will provide an annual savings of approximately \$55,403. Utilizing this savings, I am requesting the addition of the following positions:

Fire Prevention Officer (Estimated Grade 14)

The Fire Prevention Officer will be responsible for developing and administering a County wide fire prevention program. Working with the local fire departments, this person will coordinate these educational and prevention programs in schools, civic organizations, churches and community festivals.

A vehicle for this position is available due to the reclassification of the Chief Administrative Position and is included in the FY 05-06 Fire Service budget. The estimated additional annual personnel and operating cost for this position is \$53,293.

The Fire Service currently has a position that also uses this title of Fire Prevention Officer (Grade 15). Therefore, in conjunction with this new position it is requested to change this grade 15 position's title to Fire Marshal which more accurately reflects the duties of this position.

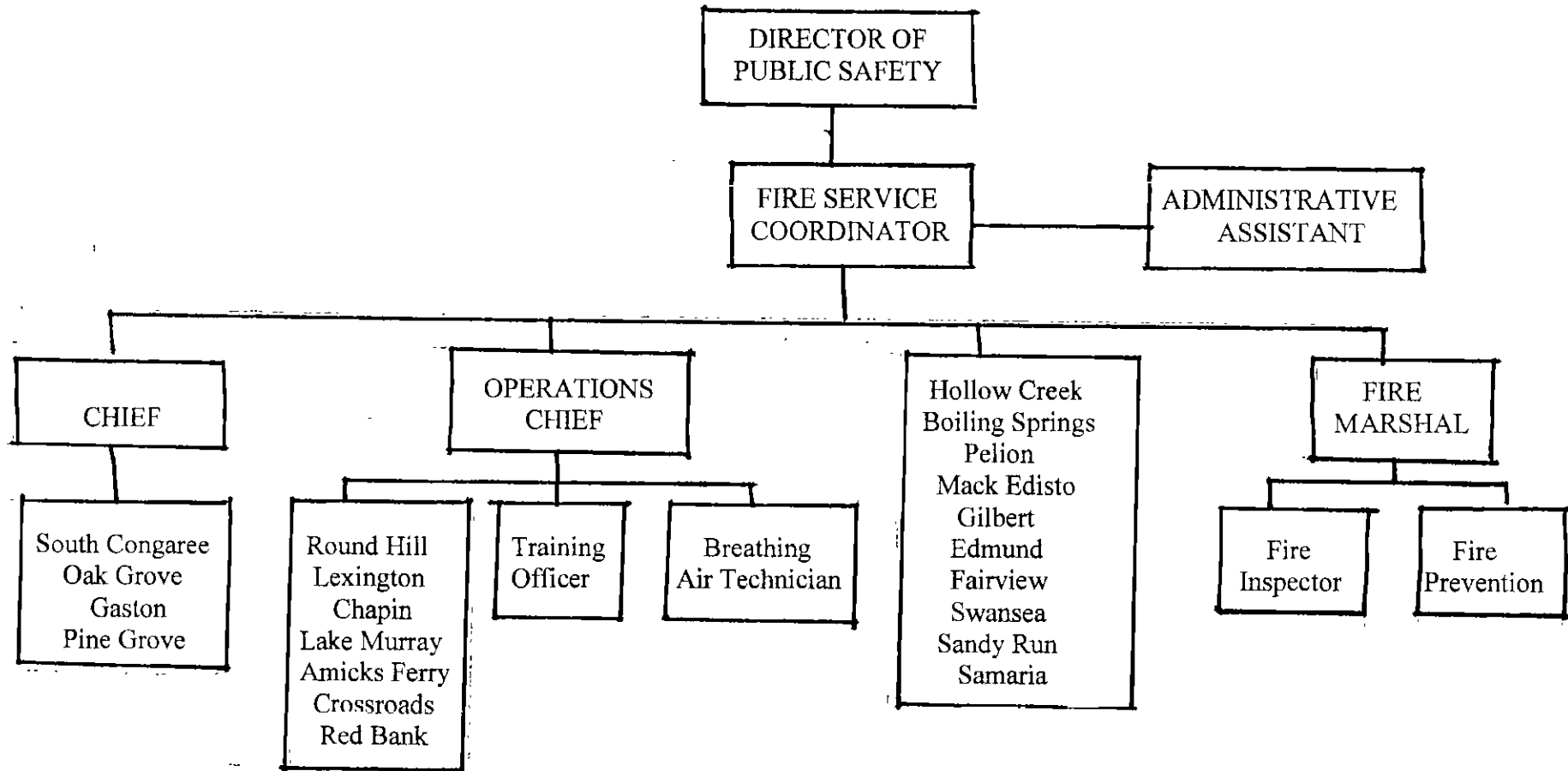
II. PUBLIC SAFETY/ADMINISTRATION**Public Safety Recruiter (Estimated Grade 14)**

The Public Safety Recruiter will be responsible for identifying and recruiting potential employees, both salaried and volunteer, for Fire Service, EMS, Communications and Law Enforcement. This will include developing and administering a recruiting program that will be utilized in the schools, at job recruiting fairs and local civic and community activities to promote all aspects of employment in a career in Public Safety.

The vehicle for this position will be provided from Fire Service and/or Law Enforcement. The additional estimated annual personnel and operating budget for this position is \$59,633. It is recommended, that this position be added to Public Safety/Administration (131100) and paid one-third by Fire Service, one-third by Law Enforcement, and one-third by County Ordinary by adjusting millages in FY '06-'07. It is requested to start this position October 10, 2005, and the cost be accounted for in the general fund.

If you have any questions or need any additional information, please let me know.

LEXINGTON COUNTY FIRE SERVICE



SECTION IA

COUNTY OF LEXINGTON

New Program Request

Fiscal Year - 2005-2006

Fund # 1000	Fund Title General		
Organization # 131500	Organization Title Fire Service		
Program #	Program Title: Additional Personnel Request - Fire Prevention Officer		
Object Expenditure	Total	3/4 Year	
Code Classification	2005 - 2006	Effective	
	Requested	10/10/2005	
Personnel			
510100 Salaries # (1)(Grade 14)	37,685	28,264	
510300 Part Time #			
511112 FICA Cost	2,883	2,163	
511113 State Retirement			
511114 Police Retirement	4,033	3,025	
511120 Insurance Fund Contribution #(1)	5,760	4,320	
511130 Workers Compensation	2,145	1,609	
511131 S C Unemployment			
* Total Personnel	52,506	39,381	
Operating Expenses			
520100 Contracted maintenance			
520200 Contracted Services			
520201 Physical Fitness Program	300	300	
520300 Professional Services			
520400 Advertising			
521000 Office Supplies			
521100 Duplicating			
521200 Operating Supplies			
522100 Equipment Repairs & Maintenance			
522200 Small Equipment Repairs & Maint.			
522300 Vehicle Repairs & Maintenance			
523000 Land Rental			
524000 Building Insurance			
524100 Vehicle Insurance #			
524101 Comprehensive Insurance #			
524201 General Tort Liability Insurance	79	79	
524202 Surety Bonds	8	8	
525000 Telephone			
525020 Pagers & Cell Phones			
525100 Postage			
525210 Conference & Meeting Expenses			
525220 Employee Training			
525230 Subscriptions, Dues, & Books			
525__ Utilities -			
525400 Gas, Fuel, & Oil			
525600 Uniforms & Clothing	400	400	
526500 Licenses & Permits			
* Total Operating	787	787	
** Total Personnel & Operating	53,293	40,168	
** Total Capital (From Section II)			
*** Total Budget Appropriation	53,293	40,168	

520201 – PHYSICALS **\$300**

Projected cost of physical - 1 @ \$300/ea = \$300

524201 – GENERAL TORT LIABILITY **\$ 79**

1 @\$79/ea = \$79

524204 – SURETY BONDS **\$ 8**

1 @ \$8 per employee = \$8

525600 – UNIFORMS & CLOTHING **\$400**

Uniforms per employee - 1 @ \$400 per employee = \$400

SECTION 1A

COUNTY OF LEXINGTON

New Program Request

Fiscal Year - 2005-2006

Fund # 1000 Fund Title: General
 Organization # 131100 Organization Title: PS/Admin
 Program # Program Title: Additional Personnel Request - Recruiter

Object Expenditure Code Classification	Total 2005 - 2006 Requested	3/4 Year Effective 10/10/2005
Personnel		
510100 Salaries # (1)	37,685	28,264
510300 Part Time #		
511112 FICA Cost	2,883	2,163
51111- Retirement (Plan to be determined)	4,033	3,025
511120 Insurance Fund Contribution #(1)	5,760	4,320
511130 Workers Compensation	2,145	1,609
511131 S.C. Unemployment		
* Total Personnel	52,506	39,381
Operating Expenses		
520100 Contracted maintenance		
520200 Contracted Services		
520201 Physical Fitness Program		
520300 Professional Services		
520400 Advertising		
521000 Office Supplies	100	75
521100 Duplicating		
521200 Operating Supplies	1,000	750
522100 Equipment Repairs & Maintenance		
522200 Small Equipment Repairs & Maint		
522300 Vehicle Repairs & Maintenance	600	450
523000 Land Rental		
524000 Building Insurance		
524100 Vehicle Insurance #	600	450
524101 Comprehensive Insurance #		
524201 General Tort Liability Insurance	79	79
524202 Surety Bonds	8	8
525000 Telephone	240	180
525020 Pagers & Cell Phones	600	450
525030 800 MHz Radio Service		
525031 800 MHz Radio Maintenance		
525100 Postage		
525210 Conference & Meeting Expenses		
525220 Employee Training		
525230 Subscriptions, Dues, & Books		
525 Utilities -		
525400 Gas, Fuel, & Oil	2,000	1,500
525600 Uniforms & Clothing	400	400
526500 Licenses & Permits		
* Total Operating	5,627	4,342
** Total Personnel & Operating	58,133	43,723
** Total Capital (From Section II)	1,500	1,500
*** Total Budget Appropriation	59,633	45,223

521000 – OFFICE SUPPLIES **\$100**

This account provides for general office supplies for position.

521200 – OPERATING SUPPLIES **\$1,000**

This account provides for general operating supplies for position.

522300 – VEHICLE REPAIRS & MAINTENANCE **\$600**

This account will cover costs associated with repairs and maintenance for county vehicle for position.

524100 VEHICLE INSURANCE **\$600**

This account provides for insurance for county vehicle

524201 – GENERAL TORT LIABILITY **\$ 79**

This account will provide for general tort liability for position

524204 – SURETY BONDS **\$ 8**

This account will provide for surety bond for position.

525000 – TELEPHONE **\$240**

This account will provide a telephone for position. \$20/mo

525020 – PAGERS & CELL PHONES **\$600**

This account will provide for a cell phone.

\$50/mo x 12 mo = \$600

525400 – GAS, FUEL & OIL **\$2,000**

This account provides funding of gas, fuel and oil for county vehicle.

525600 – UNIFORMS & CLOTHING **\$400**

Uniforms per employee – \$400

Section II

COUNTY OF LEXINGTON

Capital Item Summary

Fiscal Year - 2005-2006

Fund # 1000	Fund Title: General
Organization # 131500	Organization Title: PS/FIRE
Program #	Program Title:

BUDGET
2005-2006
Requested

[illegible]

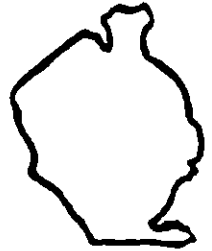
**** Total Capital (Transfer Total to Section I and IA)**

1,500

EXISTING POSITION	FIRE SERVICE		Annual Salary
	Annual Salary	PROPOSED POSITION	
Chief (Grade 18)	44,062	Fire Inspector (Grade 14)	37,685
*Chief Admin Officer (Grade 19)	45,656	Admin Assistant (Grade 9)	38,078
Captain (Grade 14)	37,685	Firefighter (Grade 8)	28,120
Captain (Grade 14)	37,685	Firefighter (Grade 8)	28,120
Captain (Grade 14)	37,685	Firefighter (Grade 8)	28,120
Captain (Grade 14)	37,685	Firefighter (Grade 8)	28,120
Apparatus Operator (Grade 10)	31,308	Firefighter (Grade 8)	28,120
		Fire Prevention (Grade 14)	37,685
Total	271,766		254,048
Difference			-17,718
Adjusted for 1/3 funding for recruiter position		Recruiter (Grade 14)(1/3)	9,422
			-8,296
* Previously approved by Council			




COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
ENGINEERING



MEMORANDUM

DATE: September 19, 2005

TO: Art Brooks, County Administrator

FROM: John Fechtel, Public Works Director
Asst. County Administrator 

RE: "C" Fund Program Information

In response to Council's request for an update on the "C" Fund program, we have three (3) components for their review:

- 1) A copy of the SCDOT "C" Fund booklet will be distributed at the Council meeting (thirty pages).
- 2) Attached is a copy of a PowerPoint presentation (twelve pages), which highlights key components.
- 3) Below is a description on how the County's program is administered.

The Lexington County C.T.C. (County Transportation Committee) is appointed by the legislative delegation by resolution. The law was changed around 1993 and the C.T.C. has been prescribed by all members of County Council since that time. The C.T.C. has full authority to spend these funds as set out by state law. Since 1993, the Department of Public Works has been administering this special revenue account according to the policies and guidelines set up by County Council.

Annual revenues total about \$3,900,000.00. This is a combination of the regular "C" Fund distribution (approximately \$2,500,000) and the donor county distribution (approximately \$1,400,000). Additionally, we should generate approximately \$80,000 in interest.

Page Two
Art Brooks Memo
September 19, 2005

We have three major expenditure accounts:

- 1) 2700-121300 - Used primarily for paving dirt roads and resurfacing paved roads. \$75,000 is also set aside annually in this account for school related projects. This amounts to a total of \$3,542,200 or 89% of the total. Resurfacing also includes any match programs SCDOT offers.
- 2) 2700-121301 - Economic Development, which is usually computed as 3% of the gross annual revenues. This year it amounts to \$119,400. This is used primarily to assist businesses in paving dirt roads or to make significant road improvements (i.e. turning lanes, intersection improvements, etc.).
- 3) 2700-121302 - Special Projects is computed at about 5% of the gross annual revenues plus \$50,000 for various qualifying municipal projects. This is used for matching enhancement grants, special drainage projects, etc. This year's budget amounts to \$318,400.

This is a brief overview of our "C" Fund budget. Other aspects of the program include a priority ranking system by petition for paving dirt roads, sidewalk evaluation requests and prioritizing municipal requests.

Attachment

***Welcome to the 2005
SCDOT/CTC
Partnering Meeting***



C Program Basics

“Review and Refresh”

ORIGINS

- 1946 - State Highway System divided over concerns about tax use
 1. Primary System
 2. Secondary System
- \$6 Million per year
- 1951 - The Big “C” — Putting the “C” in C Program

FUNDS

2.66 cents/gallon

**Distributed using the “C” Fund Formula
by State Law**

- 1/3 Based on Population
- 1/3 Based on Land Area
- 1/3 Based on Rural Road Miles

Annual “C” Funds

User’s Fee (2.66 cents per gal.) \$ 65.0 M

Donor Fund (from the Hwy Fund) \$ 9.5 M

Based on information provided
By the Department of Revenue

Interest on “C” Funds \$ 5.0 M

Total per year \$ 79.5 M

“C” Funds Who has the money?

- **County Transportation Fund held by
the State Treasurer (SCDOT Admin.)**
- **Individual CTC accounts (CTC
Admin. – checks sent monthly)**

SCDOT Administered 49% of funds

CTC Administered 51% of funds

COUNTY TRANSPORTATION COMMITTEE

- Tucker vs. SCDHPT (1992) led to the creation of CTCs in 1994.
- CTCs are appointed by each County's Legislative Delegation
- CTCs are a separate entity from County government
- No Set Size - No Set Terms (in state law)
- Two Main Responsibilities:
 - County Transportation Plan (changes must be approved by SCDOT Commission)
 - Approval and Use of "C" Funds (in compliance with the C Fund Law)

PROGRAM ADMINISTRATION

- CTC Self Administration (19 CTCs)
 - Can develop State Road Projects
 - Allows CTC to manage their entire program
- SCDOT Administration (27 CTCs)
 - SCDOT manages the entire program

QUALIFYING PROJECTS

State or Local Projects

STATE ROAD PROJECTS

This includes projects for construction, improvements and maintenance on the state highway system.

LOCAL PAVING

SCDOT gives the following guidance to CTCs for selecting local paving projects: "C" Funds are for transportation projects on public property and must be accessible to the public.

PROJECT SELECTION

- **Project Selection is responsibility of the CTC**
- **State Law**
 - **25% Minimum on Existing State Highway System (State Road Projects)**
 - **75% Maximum for Off-System Projects (Local Paving Projects)**

Qualifying Project Types

- ✓ **Resurfacing**
- ✓ **Widening and/or Realignments**
- ✓ **Extending Shoulders (Earth and Paved)**
- ✓ **Pavement Markings**
- ✓ **Traffic Signs and/or Signals**
- ✓ **Intersection Improvements**
- ✓ **Turning Lanes**
- ✓ **Sidewalks**
- ✓ **Bike Lanes and/or Bike Paths**
- ✓ **Pedestrian Facilities**

Ineligible Projects

- Projects located on Private Property
- Recreational Projects
 - Tennis Courts
 - Ball fields
 - Running Tracks
- Projects Not Accessible to the Public
- Projects Not Related to Transportation

CTC Reviews

CTC Performance Reviews

**State Law Requires SCDOT to Review
and Enforce the C Fund Law**

Specific Items Include:

- **25% on State Roads**
- **Project Qualifications**
- **Bidding Process**
- **Documentation and Reporting**
- **Uncommitted Funds**
- **Construction Standards**

SCDOT Review Philosophy

- **Partnership**
- **Education**
- **Goal is Compliance and
Accountability**

CTC Performance Reviews

- State Law gives CTCs 2 years to reach compliance
- CTCs will be notified by certified mail of non-compliance
- There is an appeal process available to the CTC
- If compliance not attained after 2 years, 50% of the CTC's allocation the third year will be withheld and divided among the other CTCs

CTC Performance Reviews

- First Round to inform and correct
- Some issues were related to how information was documented to SCDOT
- CTCs/Legislative Delegations are to address major issues
- Second Round underway, 14 complete

Local Paving Projects

Local Paving Projects

CTC Responsibilities

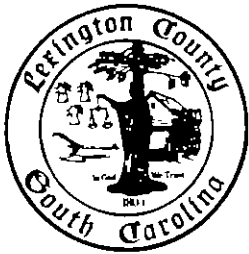
- ✓ Must Adhere to State Procurement Procedures on all C Projects (Both State and Local Paving Projects)
- ✓ Award of Contracts to the Lowest Qualified Bidder
- ✓ Record Keeping (All C Funds must be tied to a project)
- ✓ Billing (Contractor or Government Entity must submit detailed invoices for work performed)

Secondary Resurfacing Match Program SMP'06

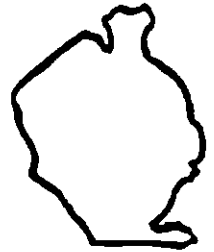
SMP '06

- ✓ The match portion offered to each CTC is based on the non-federal aid secondary road mileage in that county
- ✓ \$10 Million in state funds; 1:1 match with no second distribution
- ✓ Match funds are in excess of the 25% minimum required by law to be spent on the state system
- ✓ Resurfacing projects only; developed to state standards

QUESTIONS ?




COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
ENGINEERING



M E M O R A N D U M

DATE: September 19, 2005

TO: Art Brooks, County Administrator

FROM: John Fechtel, Public Works Director
Asst. County Administrator 

RE: "C" Fund Special Projects Request – Public Works

Attached is a memo from Don Rumbaugh, Engineer Associate IV, reference a drainage problem on Emory Lane near Kenna Drive. This area has had a history of stormwater backing up onto several properties as well as going over the road.

Public Works has been working with SCDOT to resolve the problem. SCDOT has agreed to reimburse the County for the material costs within the right-of-way if we install the pipe. The reimbursement breakdown is shown on the attached Emory Lane Piping Project sheet

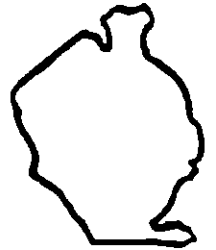
Due to the cost of this project, we request \$54,000.00 from our "C" Fund Special Projects budget. SCDOT will reimburse \$12,162.40, bringing the total project cost to \$52,175.20. However, the additional \$1,824.80 is for contingency purposes.

Please present this to the Public Works Committee for their consideration and send to the full Council later that evening.

Attachment



COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
ENGINEERING



M E M O R A N D U M

DATE: September 19, 2005
TO: John Fechtel, Director of Public Works
FROM: Don Rumbaugh, Proj. Coordinator, Lex. Cty. P.W. *DR*
RE: Drainage Piping on Emory Lane

Lexington County Public Works is proposing to improve the drainage system at 332 Emory Lane. This piping system runs between addresses 332 and 328 Emory Lane, located in the Irmo area of Lexington County. Historically, this drainage system is prone to localized flooding, partially due to being undersized and the overall poor condition of the existing corrugated metal pipe. The drainage system collects water from several of the surrounding streets within the Challedon West Subdivision as well as water from Irmo High School

During medium to heavy rain events the ditch that feeds the existing pipes, backs up, over tops the banks and flows around and under the homes located at 5810, 5804 Kenna Drive and 331 Emory Lane. Water then crosses Emory Lane and into the residence of 350 Emory Lane.

The installation of twin 54" pipes will drastically reduce the frequency that this occurs. The South Carolina Department of Transportation has agreed to reimburse Lexington County for the cost of improvements which lie within their right-of-way on Emory Lane

/hd

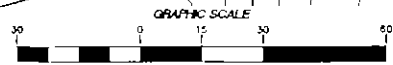
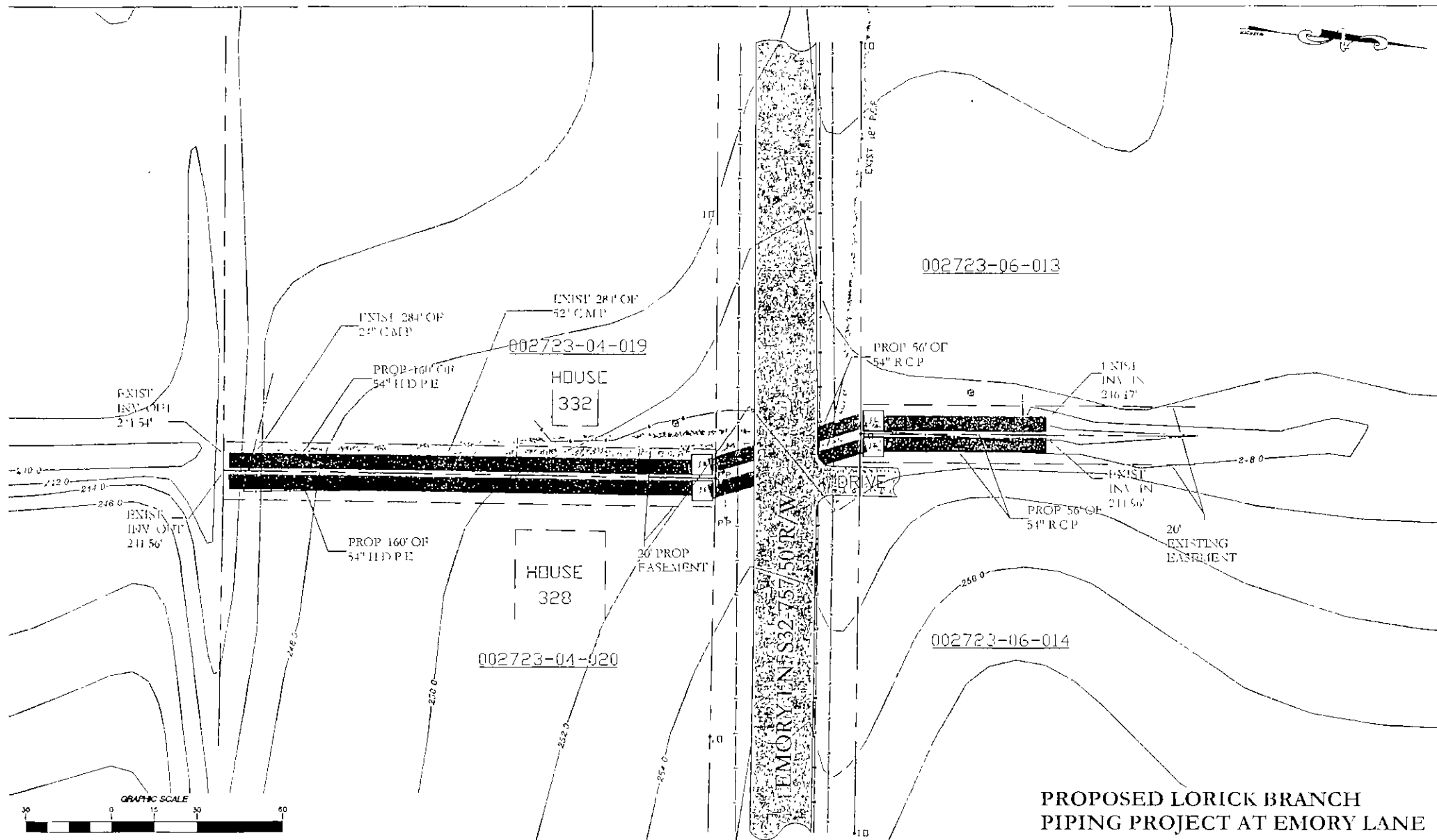
Emory Lane Piping Project

State

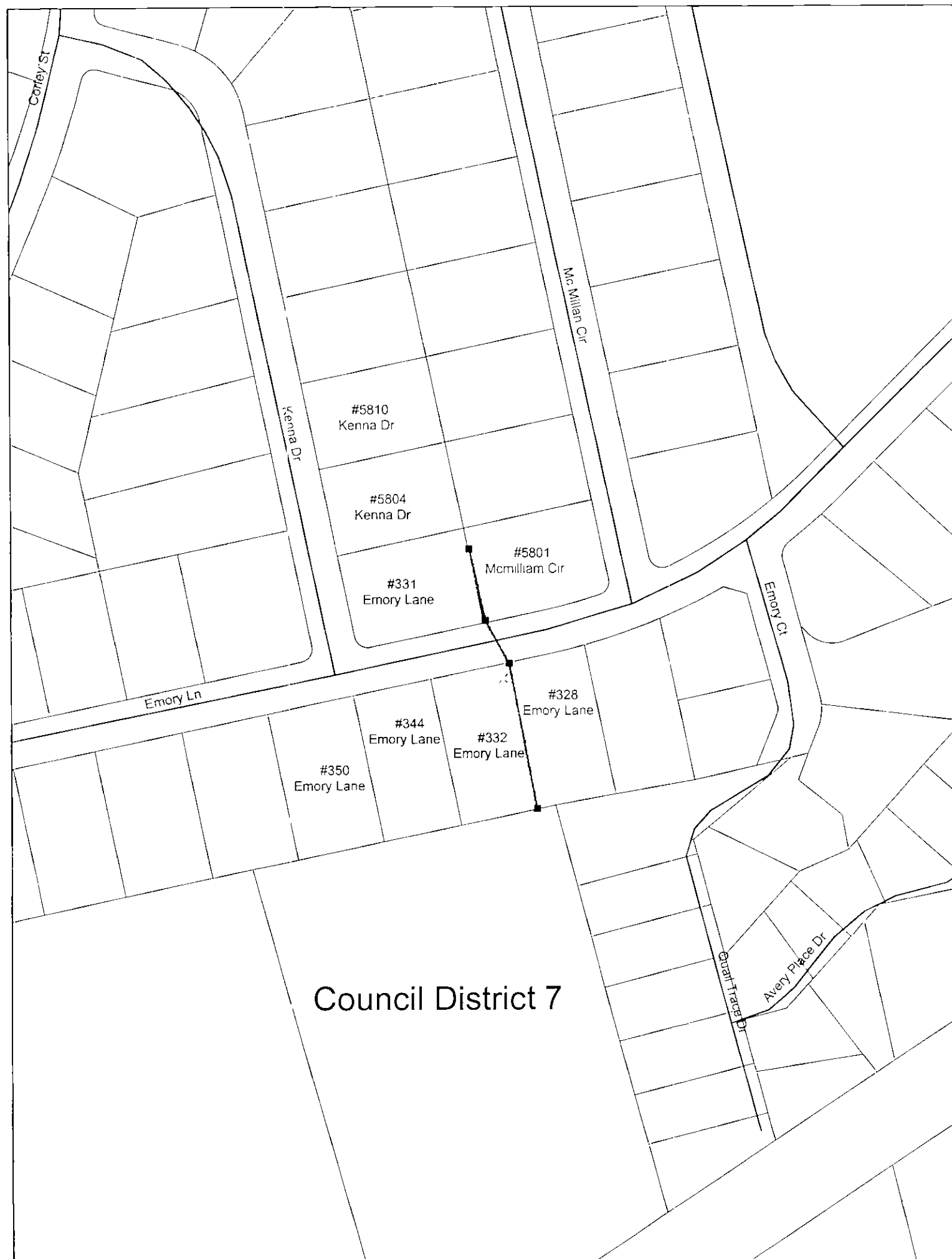
Description	Unit	Quantity	Unit Cost	Subtotal	Tax	Total
Flowable fill	cy	105	\$45 00	\$4,725 00	\$283 50	\$5,008 50
54" RCP	lf	96	\$67.51	\$6,480 96	\$388 86	\$6,869.82
Base	sy	20	\$4 65	\$93 00	\$5.58	\$98 58
Asphalt type 1	ton	5	\$35 00	\$175 00	\$10 50	\$185 50
TOTAL						\$12,162.40

Lexington County

<u>Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Unit Cost</u>	<u>Subtotal</u>	<u>Tax</u>	<u>Total</u>
7' x 7' x9' Precast solid wall Concrete Box	each	4	\$4,376.00	\$17,504.00	\$1,050.24	\$18,554.24
6" walls and 6" Thick Base, Steps.						
8" thick top offset 24" hole for manhole ring/cover						
Manhole Ring/Cover	each	4	\$150.00	\$600.00	\$36.00	\$636.00
54" RCP	lf	232	\$67.51	\$15,662.32	\$939.74	\$16,602.06
Rip Rap	ton	40	\$13.34	\$533.60	\$32.02	\$565.62
Power Pole Relocation	ea	1	\$1,973.00	\$1,973.00	\$118.38	\$2,091.38
Tree Cutting	ea	7	\$210.71	\$1,475.00	\$88.50	\$1,563.50
TOTAL						\$40,012.80



**PROPOSED LORICK BRANCH
PIPING PROJECT AT EMORY LANE**



Council District 7



September 13, 2005

Mr. Allen Burns
Director, Economic Development
Lexington County
212 South Lake Drive, 6th Floor
Lexington, South Carolina 29072-3437

Subject: Fire Hydrant Cost- Walter P. Rawl & Sons, Inc.

Dear Mr. Burns:

Fitts & Goodwin is pleased to submit, as requested, a material cost estimate for installation of two new fire hydrants. The additional above ground hydrants are required as part of the upcoming process facility expansion.

The new fire hydrants, and the associated fire line, will be installed in accordance with the utility plan by Carlisle Associates, Inc. (Drawing C400 dated 8/15/05). The cost estimate breakdown, includes material only and excludes all labor and Engineering costs.

<u>Quantity</u>	<u>Item</u>	<u>Material Cost</u>
1,260 LF	8" PVC C900 Pipe	\$10,458.
1 EA.	Backflow Preventer	\$ 2,675.
1 EA.	Backflow Preventer Pit	\$ 6,000.
2 EA.	Mueller 5 1/4" Hydrant	\$ 2,210.
LS	Fittings	\$ 1,882.
LS	Concrete	\$ 750.
1 Set	Hydrant Protection	\$ 500.
		<u>\$24,475.</u>

Please do not hesitate to call if you have any questions,

Sincerely,

FITTS & GOODWIN

George S. Coulter, Jr.

George S. Coulter, Jr.

/sle

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CONCERNED CITIZENS Of SILVERCREEK SUBDIVISION

I. Introduction / Opening comments (2-3 minutes)

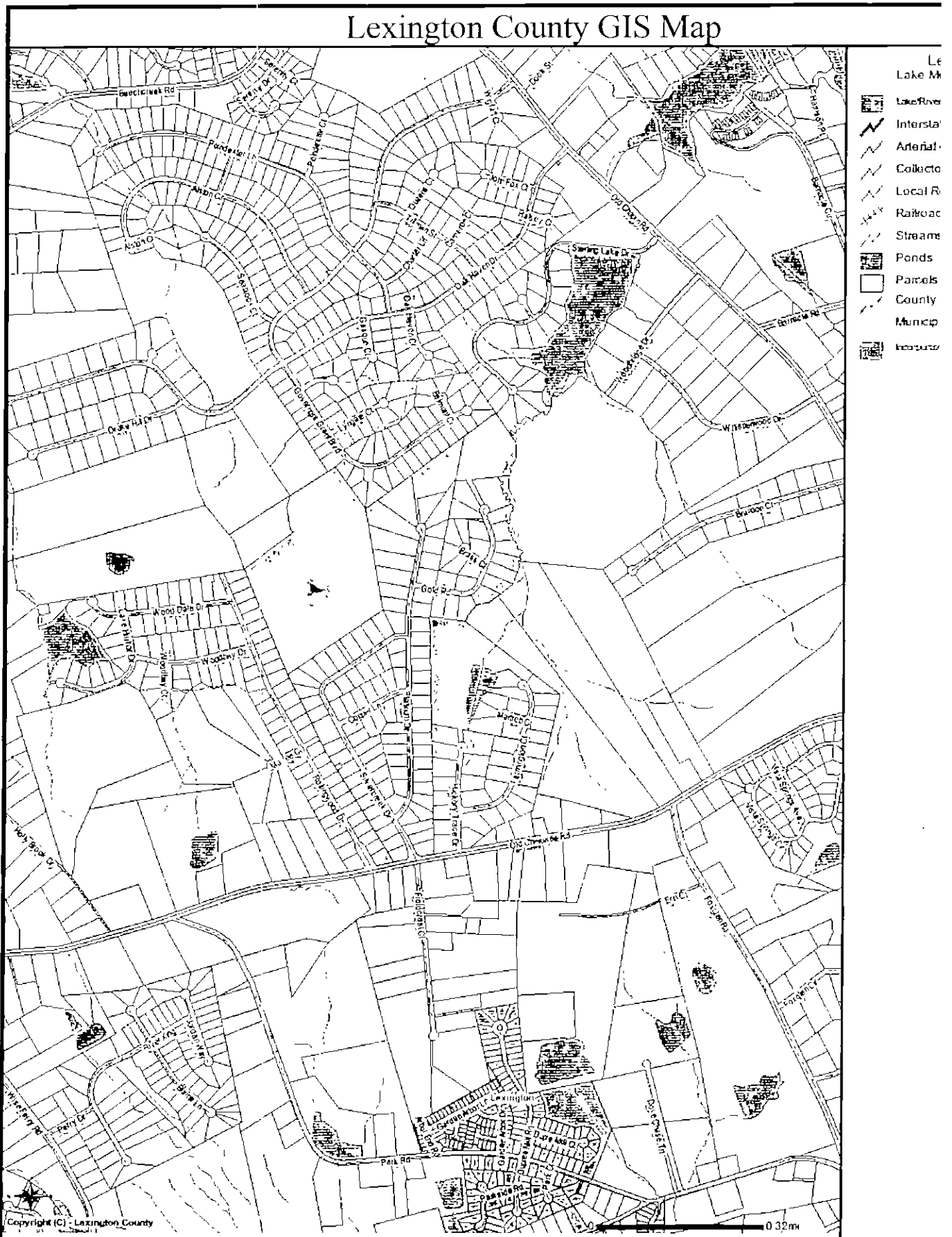
1. Silvercreek subdivision information
2. Lexington growth
3. Plans for new development

II. Concerns (3-4 minutes)

1. Inconsistent with existing phases
2. Traffic & Safety
3. County guidelines for new neighborhoods

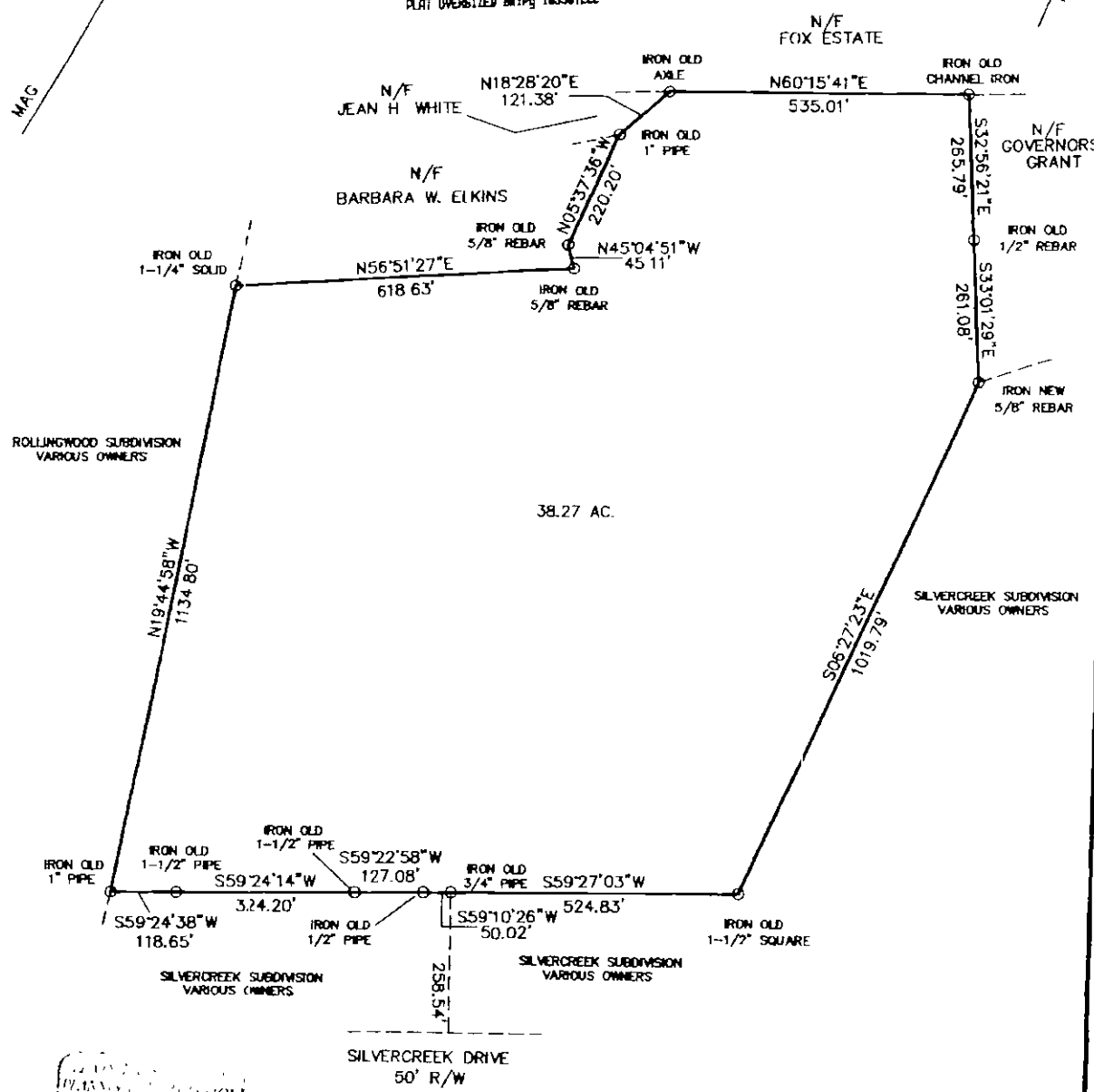
III. Closing / Summary (2-3 minutes)

1. Quality of life issues
2. Win-Win for all
3. Help & guidance in managing the new development



DISCLAIMER Lexington County makes no warranty, representation or guaranty as to the content, sequence, accuracy, timeliness or completeness of any of the data

2004-17797 FILED, RECORDED, INDEXED
 07/28/2005 10:23:36:59
 Rec Fee: \$18.00 St Fee: \$8.00
 Co Fee: \$8.00 Poss: \$1
 Lexington County 800 Before M. Senter
 PLAT OVERSIZED BkPg 183301222



RECEIVED
 JUL 20 2005
 R. Pate

THIS IS TO CERTIFY THAT I HAVE CONSULTED THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAP AND FOUND THAT THE PROPERTY DESCRIBED HEREON IS NOT LOCATED IN A SPECIAL FLOOD HAZARD AREA AS SHOWN ON MAP NO. 45063C0119 "C", DATED FEBRUARY 9, 2000.

PLAT PREPARED FOR
JACK WILKIE

SITE LOCATED IN LEXINGTON COUNTY, SOUTH CAROLINA

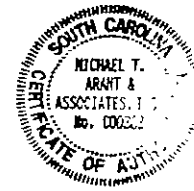
SCALE: 1" = 200' DATE: OCTOBER 07, 2004

REFERENCES:
 LEXINGTON COUNTY TWS 3300 BLOCK 04 PORTION OF LOT 06
 PLAT PREPARED FOR BARBARA W. ELKINS BY WHITWORTH & ASSOCIATES, INC. DATED DECEMBER 14, 1995
 A BONDED PLAT OF SILVERCREEK SUBDIVISION PHASE II BY LEON CAMPBELL & ASSOCIATES DATED SEPTEMBER 21, 1987
 PLAT PREPARED FOR JEAN H. WHITE BY WHITWORTH & ASSOCIATES, INC. DATED JANUARY 12, 1981

CERTIFICATION:
 I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "B" SURVEY AS SPECIFIED THEREIN.

MICHAEL T. ARANT S.C. REG. # 4547

MICHAEL T. ARANT & ASSOCIATES, INC.
 1020 OLD CONGAREE RUN EASTOVER S.C. 29044 PHONE 803-685-4320





[Request Information](#)

Silver Creek-Coming Soon



Community Location

Silver Creek Drive
Lexington, South Carolina 29072

Sales Information

Jennifer Henderson
Phone: 407-869-1100 ext 116
Fax: 407-862-5903
Email Us
M-F 8:30am - 5:00pm

Wanting to live in a neighborhood close to Columbia, SC? Then consider Silver Creek. These 119 homes will be coming in early 2006. Prices and the size of home are yet to be determined, but similar homes in the first phase sell from the \$180's. Mid size homes with room for expanding families will be the style of homes offered. If you are interested in this community please contact Horizon Homes to be notified once the plans and pricing are available

THE DOOLEY LAW FIRM, P.A.
ATTORNEYS AND COUNSELORS AT LAW
218 EAST MAIN STREET
LEXINGTON, SOUTH CAROLINA 29072

ALBERT J. DOOLEY, JR.
*JAMES O. SPENCE, S.C. CERTIFIED MEDIATOR AND ARBITRATOR
SANDRA DOOLEY PARKER
DAVID S. HIPP
ROBERT E. NEWTON

OF COUNSEL
ALBERT J. DOOLEY, SR.

TELEPHONE 359-2547
AREA CODE 803

FAX 957-3900
AREA CODE 803

POST OFFICE BOX 370
ZIP CODE 29071

September 21, 2005

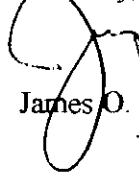
Ms. Dot Black
Administrative Assistant
LEXINGTON COUNTY COUNCIL
212 South Lake Dr.
Lexington, SC 29072

In Re: Removal of grave pursuant to §27-43-10, et seq.

Dear Dot:

Our office represents Allen E. Shealy and Patricia Ann Dominick who owns a parcel of property located at the intersection of Spence Shores Court and Wise Ferry Road containing approximately 16 acres and having TMS #: 003300-05-02. There is a single abandoned grave on the property and it is my clients' desire to remove the remains to the cemetery at St. Peters Lutheran Church. My clients have plans to develop the property and the grave would be best moved to a different site because of the development. We have obtained the approval of the church to place the remains in the cemetery at St. Peters Lutheran Church. Pursuant to the applicable statute, we have attempted to make contact with heirs of the deceased at no avail. We have given notice in the newspaper, as required by statute, and received no comments or contact from any relatives of the decedent. We seek the approval of County Council in removal of the remains to St. Peters Lutheran Church, as required by the statute. Obviously, this removal would be preformed under the supervision of a licensed funeral director, at our expense. Please present this matter to County Council for their approval. If any additional information is needed, please advise.

Sincerely,



James O. Spence

JOS:jrb

cc: Smokey Davis
Allen Shealy
Patricia Dominick
Ronnie Wingard






COUNTY OF LEXINGTON
COMMUNITY DEVELOPMENT
(803 785-8121)

MEMORANDUM

DATE: September 19, 2005

TO: Art Brooks
County Administrator

FOR: County Council

FROM: Bruce Hiller - Development Administrator 
Community Development

SUBJECT: Recycling/Processing Centers, Mining Operations, and LCD Landfills Location
Application Fee

XX

As County Council prepares to establish the Location Application Fee for Recycling/Processing Centers, Mining Operations, C&D Landfills, LCD Landfills, and Yard Trash Landfills, consideration may be given to a similar fee, as previously established by Council for Zoning Map Amendments. While the two procedures are not identical, they are however, similar. Therefore, a fee of \$150 per ten acres (or portion thereof), is proposed for your consideration.



COUNTY OF LEXINGTON, SOUTH CAROLINA

Department of Community Development
County Administration Building (803) 785-8121
212 South Lake Drive Lexington, South Carolina 29072

LANDFILL LOCATION REVIEW APPLICATION # L05-01

Applicant/Business Name. _____

Address and/or description of property for which the landfill activity is requested: _____

TMS#: _____ Landfill Activity Acreage: _____

Type of landfill activity: _____ On-site processing included? _____

Additional comments as necessary: _____

Is activity under current review by SCDHEC? _____ (If yes, provide copies of DHEC review status.)

Does the activity have a current SCDHEC permit? _____ (If yes, provide copies of permit information.)

Even though this request will be carefully reviewed and considered, the burden of proving the need for the amendment rests with the applicant.

Date _____

Signature _____

() Owner?

Name(print) _____

() Agent?

Address _____

Telephone # _____

- | | |
|---|---|
| 1. ___/___/___ Zoning Application Received | 2. ___/___/___ Zoning Site Plan Approved |
| 3. ___/___/___ Landfill Location Application Received | 4. ___/___/___ Landfill Location Fee Received |
| 5. ___/___/___ Public Notification | 6. ___/___/___ Newspaper Advertisement |
| 7. ___/___/___ Adjacent Property Notices Sent | 8. ___/___/___ Public Hearing |
| 9. ___/___/___ Council Vote | |

Results: _____




**COUNTY OF LEXINGTON
COMMUNITY DEVELOPMENT
(803 785-8121)**

MEMORANDUM

DATE: September 19, 2005

TO: Art Brooks
County Administrator

FOR: County Council

FROM: Bruce Hiller - Development Administrator 
Community Development

SUBJECT: Southeastern Associates – LCD Landfill

XX

The zoning staff has received an application and site plan for a four (4) acre Land Clearing Debris (LCD) Landfill proposed at the existing Southeastern Associates – Lexington County Mine No. 1 site, located off of Golden Jubilee Road, near Gilbert. Copies of the application and site plan are attached for your review and reference.

According to the following Section 54-81 of the Lexington County Solid Waste Ordinance, the proposed LCD Landfill, as submitted after redline revisions, meets the requirements for such an activity as per the Lexington County Zoning Ordinance. Pending Councils' approval of the location, our staff can then issue a zoning permit for this proposed four-acre LCD Landfill activity.

Please note that this proposed activity does not include any recycling activities. For such a recycling activity, additional requirements of the Lexington County Zoning Ordinance and Solid Waste Ordinance would apply.

DIVISION 3. ADDITIONAL DISPOSAL REQUIREMENTS

Section 54-81. Location requirements of certain solid waste disposal activities.

The following solid waste disposal activities have unique characteristics that require a

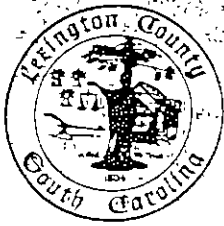
thorough review prior to specific site approval and require careful on-going oversight of the day-to-day operations:

- a. The on-site processing of yard trash or construction, demolition, and/or land-clearing debris for recycling.
- b. Landfills intended to be used for yard trash or construction, demolition, and/or land-clearing debris.
- c. Any mining operations that include a Yard trash or Construction, Demolition, and/or Land-Clearing Debris Landfill as a part of their reclamation plan.

Each proposed activity must first be reviewed as to its ability to meet the regulations contained in the Lexington County Zoning Ordinance. A report of that review must then be forwarded to the Lexington County Council as a part of their determination as to the suitability of the proposed location for the activity. As a part of their analysis of the proposed activity Council will establish application and review procedures that will contain the following minimum requirements:

1. The application for the activity will appear on Council agendas at least three times. The first time will be for the purpose of an early notification to the public of the existence of the application and will include the time, date and place of the public hearing. The second time will be the public hearing and the third time will be for the purpose of voting on the application.
2. At least 15 days prior to the public hearing, notice shall be given in a newspaper of general circulation in Lexington County
3. At least 15 days prior to the public hearing, the adjacent property owners shall be notified of the proposed application and the time, date and place of the public hearing.
4. The application will include a fee sufficient to cover the cost of the public hearing advertisement and the notification to all adjacent property owners.

If there are aspects of the activity and its proposed location that are of concern to the Council, those concerns will be forwarded to the applicant. If they are not addressed satisfactorily, the proposed activity will not be approved for that location.



REV
COUNTY OF LEXINGTON, SOUTH CAROLINA

Department of Community Development

County Administration Building (803) 785-8121
212 South Lake Drive Lexington, South Carolina 29072

APPLICATION FOR ZONING/LANDSCAPE
SITE PLAN REVIEW FOR COMMERCIAL PROJECTS

A Zoning Permit review requires two (2) copies of a site plan drawn to a scale of 1 inch (on paper) equals 20, 30, 40, 50 or 60 feet (on the ground). The site plan should be submitted at least 15 working days prior to the anticipated issuance of a Zoning Permit in order for the Zoning Staff to have adequate time for review. We recommend that you review the Zoning requirements for your activity prior to preparing your site plan. Complete sections A - F below and include sections G - M on the site plan. Please attach this application to your site plan when submitted for review.

Check List - (Please PRINT):

- ✓ A Name of business: SOUTHEASTERN ASSOCIATES, LEXINGTON CO. MINE No. 1
- ✓ B Address and location of property and TMS# of property
OMAR COURT TMS
GILBERT, S.C.
05200-04-037
- ___ C Applicant's name, address and phone number.
SOUTHEASTERN ASSOCIATES
1703 SCREAMING EAGLE RD, LUGOFF, S.C. 29078
Phone: (803) 788-6418 Fax: () Email:
- ✓ D Property owner's name, address, and phone number
SOUTHEASTERN ASSOCIATES
Phone: (803) 359-5547 Fax: () Email:
- ✓ E Contractor's name, address, and phone number (if applicable).
PRIESTER, DR. L. E. JR.
1345 GARNER LANE #105, COLUMBIA, S.C. 29210
Phone: (803) 798-4377 Fax: (803) 798-4378 Email: PRIESTER@PCMESSAGES.COM
- ✓ F Provide a written description of each use in each current or proposed building. If a "Group Assembly" activity (church, theaters, bowling alleys, etc.) or restaurant is planned, then indicate the number of seats and/or participants.
THIS APPLICATION IS TO ALLOW FOR MINE RECLAMATION BY BACKFILL OF A 4 ACRE
PARCEL WITH LAND CLEARING DEBRIS (LCD) TO RAISE THE MINED AREA TO AT OR
NEAR ORIGINAL CONTOUR, AS DETAILED ON ATTACHED DRAWING HEREBY MADE A
PART OF THIS APPLICATION.
THERE ARE NO RESIDENCES WITHIN 150' OF THE FILL AREA.

RECEIVED

SEP 07 2005

Lexington County Community
& Economic Development

(2)

- ☒ G. The shape and dimensions of the lot, that the proposed building or use is to be erected or conducted. The total development acreage should be stated, either in square feet or a fraction of an acre, i.e. 0.25 acres.
PARALLELOGRAM — 436.0' X 411.34', AS SHOWN ON ATTACHED DRAWING
4.00 ACRES.
- NA H. The vicinity of adjoining road rights-of-way, and/or utility easements, and the location of the lot with respect to these rights-of-way.
- ☒ I. The location of driveways and parking spaces, and the total number of spaces in parking areas. The standard space is 9' X 18'. EXISTING ROADS AT THE SITE ARE ADEQUATE AND WILL BE USED.
NO PARKING IS NEEDED OR ALLOWED.
- ☒ J. Indicate the sight distance from proposed or existing driveways and the maximum speed limit on the roads.
SPEED LIMIT- 25 MPH
- ☒ K. The shape, dimensions, and location of all existing and proposed buildings on the subject lot. Show overall square footage and height of each building. Show nature or intended use of land where no buildings are planned (such as Boat, RV Sales, Vehicle Sales, Sports Events, outside storage areas, etc.).
NO BUILDINGS ARE PLANNED FOR THIS ACTIVITY.
- ☒ L. "The location of residences (houses or mobile homes) on adjoining properties and the nearest distance to their own property line" The residence may be shown as a simple rectangle, with the distance or distances shown from the nearest side or corner of the rectangle to its own property boundary. Any residence located on adjacent property in an Intensive zoning district will be afforded buffering restrictions as if it is a grandfathered residence, unless the zoning office is supplied with evidence that the residence was established on the property after zoning was adopted on _____.
SEE ATTACHED DRAWING.
- ☒ M. The location of all existing and proposed signs (free standing, wall, marquee, etc.). For Free Standing Signs, show their height and display area, and the distance (in feet) to adjoining properties and road rights-of-way. Freestanding signs are required to maintain a minimum separation distance of ten feet from overhead electrical conductors. Also, vision clearance rules and sight triangles must be observed.
NONE ARE PLANNED OR NEEDED.
- NA N. If a "Group Assembly" activity is located on or near water, the distance to the property lines across the water must be shown.
- NA O. Landscape Plan (two copies)

Additional information:

A project accessing any publicly maintained road must also obtain the proper encroachment permits from the South Carolina Department of Transportation or Lexington County Public Works Department as appropriate. (It is the sole responsibility of the applicant to obtain this permit.)

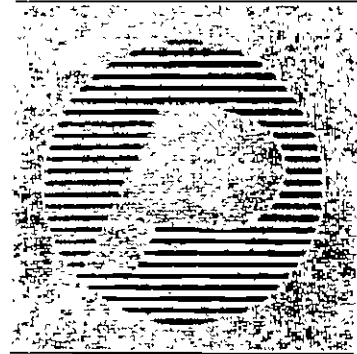
Lighting must be directed into the subject property and away from adjoining property lines. Lighting ~~has not~~ create glare across a property line or into the travel way of a street.

RECEIVED
SEP 12 2005
LEXINGTON COUNTY
COMMUNITY DEVELOPMENT

2 September, 2005

Mr. Bruce Hiller
Community Dev. Admin.
County Administrative Building
212 S. Lake Drive
Lexington, S.C. 29072

Re; Southeastern Associates Mine # 1
Gilbert, SC, Zoning Determination



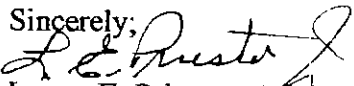
Priester & Associates
1345 Garner Lane - Ste. 105
Columbia, SC 29210
Phone (803) 798-4377
Fax (803) 798-4378

Dear Mr. Hiller;

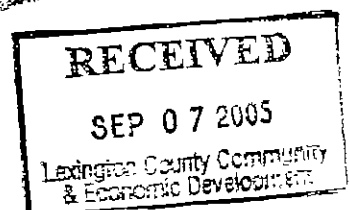
Thank you for meeting with Mr. Loveless and I last week. As discussed we have had a new survey completed and have enclosed two copies of our formal request to reclaim a four-acre cell of the mine by filling to the original elevations with Land Clearing Debris.

All requirements for setbacks from residences, Roads, wetlands, and water bodies are met.

Thank you for your attention to this matter.

Sincerely,

Lamar E. Priester, Jr. Ph.D.
Senior Scientist

Cc: B. Loveless



1,800' TO
U.S. HIGHWAY 1

Golden Jubilee Road

S 83°56'32"E
178.62'

N 87°18'03"E
940.18'

S 30°18'42"E
1,139.41'

RICHARD D. DITTMAR

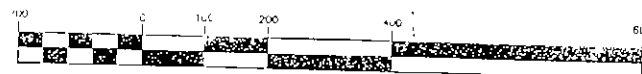
PROJECT

SOUTHEASTERN ASSOCIATES -LEXINGTON FACILITY

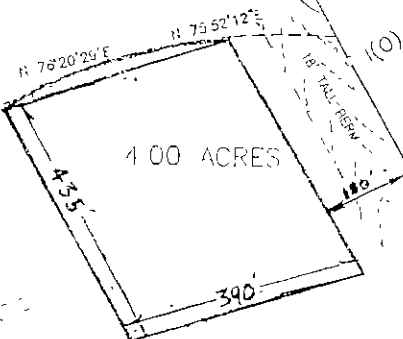
2 September, 2005 AM 12:33 PM SEPT 05

PRIESTER AND ASSOCIATES
1345 Garner Lane
Columbia, S.C. 20210

GRAPHIC SCALE



(IN FEET)
1 inch = 200 ft.



NO RESIDENCE LIES WITHIN
50' OF PROPERTY LINE

1000 SETBACK
ROAD

ROAD

WETLANDS
BOUNDARY

S 76°20'29"W 822.50'
BOBBY W. TAYLOR

JAMES F. WRIGHT

EXISTING
RESIDENCE

WETLANDS

WETLANDS

1,800' TO
U.S. HIGHWAY 1

Golden Jubilee Road

S 83°55'37"E
178.82'
N 62°58'03"E
940.45'

WELANDS BOUNDARY

Existing Road - Dr. Furcraugh Mfg.

WELANDS BOUNDARY

RD
Road 24.

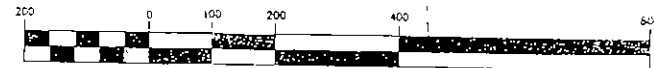
RICHARD D. DITTMAR

PROJECT

SOUTHEASTERN ASSOCIATES LEXINGTON FACILITY

2 September, 2005 AMENDED 12 SEPT '05
PRIESTER AND ASSOCIATES
1345 Garner Lane
Columbia, S C 20210

GRAPHIC SCALE



(IN FEET)
1 inch = 200 ft

4.00 ACRES
(3.89 Ac)

NO RESIDENCE LIES WITHIN
150' OF PROPERTY LINE

Landfill (Unit)

- 2 yrs. operation
- Men Made Screening must be removed within 60 days following site closing
- Drive should be stabilized to reduce rutting and dust
- 7 AM - 7 PM M-F open only
- One side 1/2 hour, Actual 3/4 hour (Total) per side
- Total Screening
- Partial Screening
- Noise - Performance Standards must be met

See Plan A-5
Per 2003 Permits

JAMES F. WRIGHT

BOBBY W. TAYLOR

CAMA Property Card

Lexington County, SC**Good Friends and Great Communities**

Data last updated: 09/14/2005

TMS#: 005200-04-037

TAX YEAR: 2005

OWNER: LOVELESS, JOHN I. & BRUCE P

ADDRESS: 1703 SCREAMING EAGLE RD
LUGOFF, SC 29078

PROPERTY ADDRESS: .5 MI S HWY 1, .8 MI W HWY 880

LEGAL DESCRIPTION: TRACT 4 & PARCELS B & C

DEED BOOK & PAGE: 3826-034

PLAT: 263-69

LAND USE: 1002:RURAL - IMPROVED

TAX DISTRICT: 1

ASSESSMENT INFORMATION

LOTS: 0

ACRES: 96.2

APPRAISED LAND: 481000

APPRAISED BUILDING: 18090

ASSESSMENT LAND: 1070

ASSESSMENT BUILDING: 1090

HOMESTEAD EXEMPT ASSESSMENT: 0

TAX RELIEF EXEMPT ASSESSMENT: 0

BUILDING INFORMATION

SQUARE FOOT LIVING AREA: 1372

UNFINISHED AREA: 0

YEAR BUILT: 1920

NUMBER OF BEDROOMS: 4

NUMBER OF FULL BATHS: 2

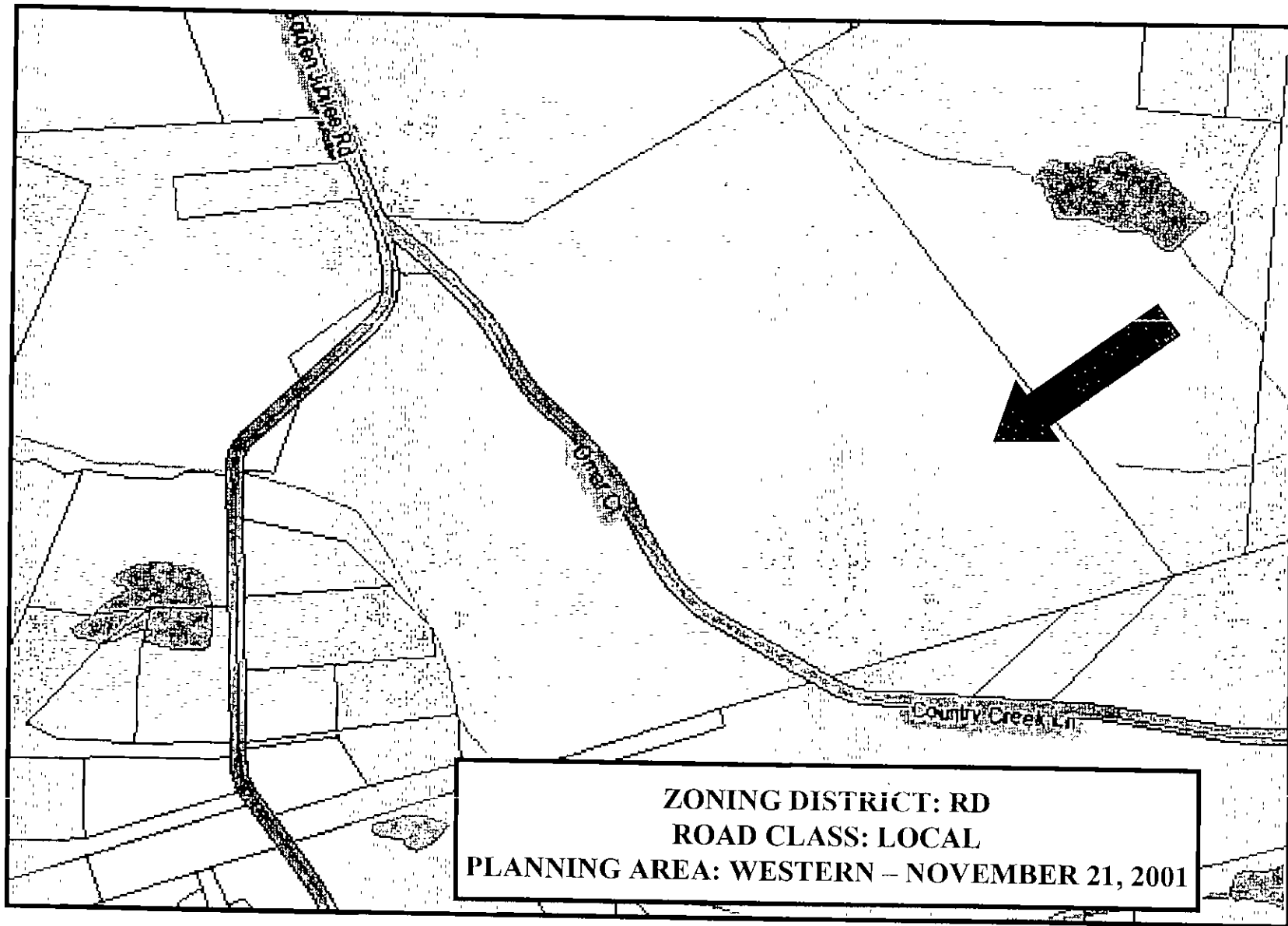
NUMBER OF HALF BATHS: 0

-HEATING SYSTEM:

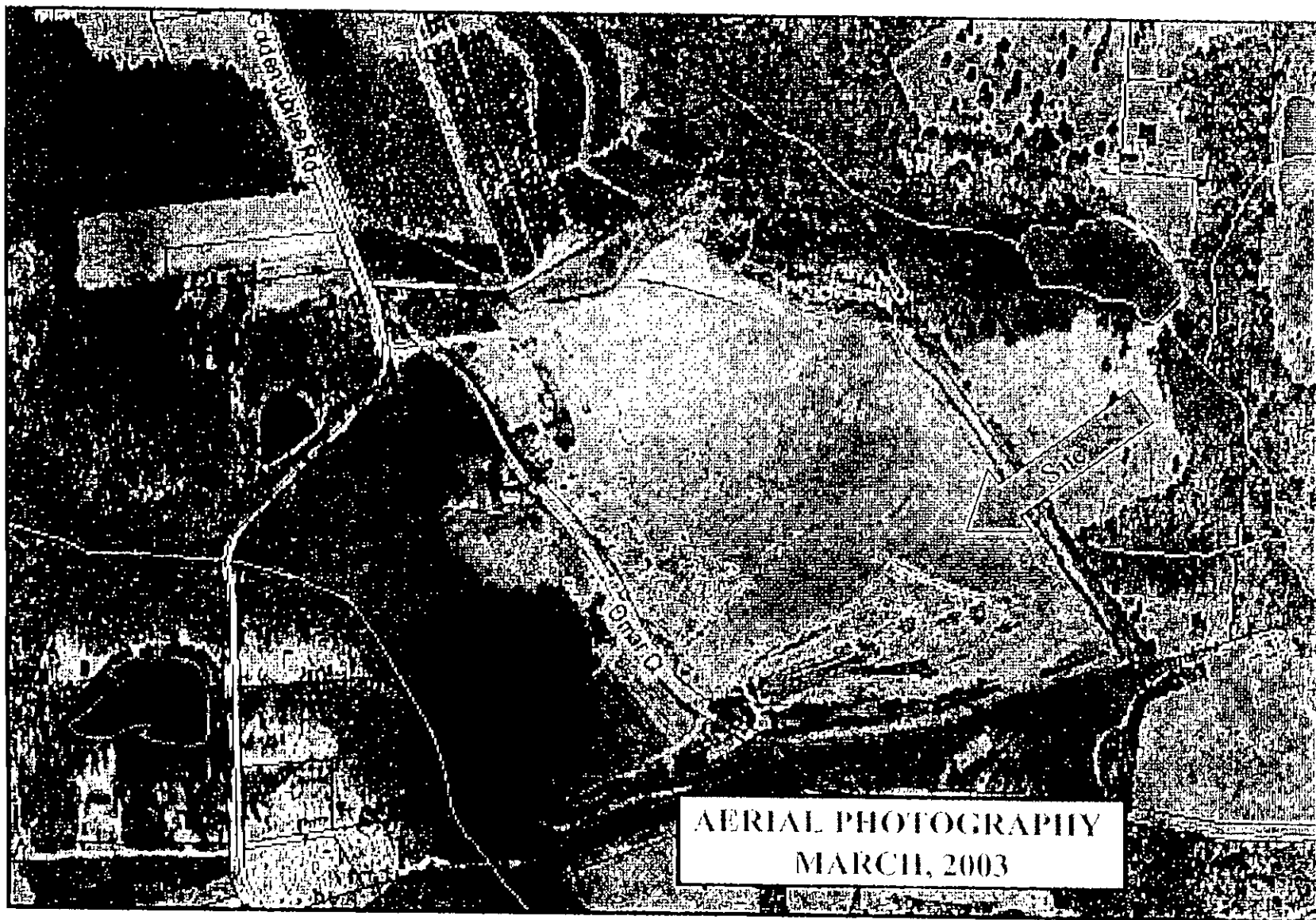
HEAT:

SALES INFORMATION

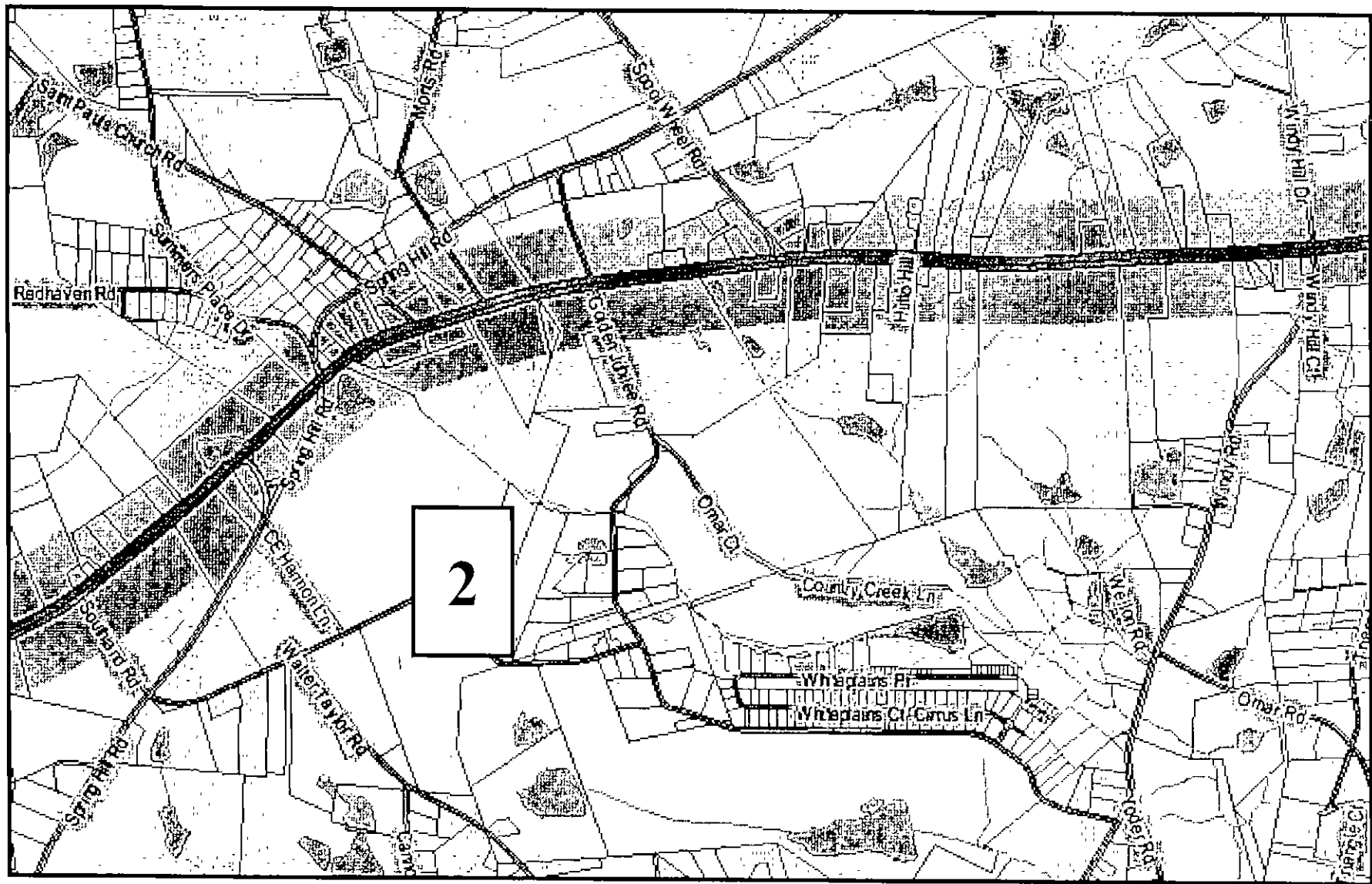
<u>SALE DATE</u>	<u>SELLER</u>	<u>BUYER</u>	<u>PRICE</u>	<u>DEED BOOK & PAGE</u>
07/01/96	BRANCH BANKING&TRUST	LOVELESS J L & B P	358000	3826-034
09/01/95	BRANCH BANKING&TRUST	BRANCH BANKING&TRUST	1	3544-135
07/01/93	KEISLER K B	LEXINGTON STBNK TRST	5	2687-233



PROPOSED LANDFILL (LIMITED) – TMS# 005200-04-037



PROPOSED LANDFILL (LIMITED) – TMS# 005200-04-037



COUNTY COUNCIL DISTRICT MAP

ARTICLE 9 - LANDFILL OPERATIONS

Chapter 1. General Provisions

91.00 Purpose

The purpose of this article is to address the unique needs of Landfill Operations in order that these activities function in a manner that is compatible with the surrounding area.

91.10 Jurisdiction

The regulations set forth herein shall apply to any property located within the jurisdiction of this Ordinance that is now or is proposed to be developed as a Landfill Operation.

91.20 Definitions

Landfills include all of the following activities as defined by the South Carolina Department of Health and Environmental Control (SCDHEC) now or in the future. These SCDHEC definitions are published for reference only and are not a part of this ordinance. Within this ordinance landfills are classified as either limited, intermediate, or extensive and may include solid waste activities exempt from review by SCDHEC. Recycling activities which involve construction, demolition and/or land clearing debris are regulated in the same manner as the landfill classification within which they are listed, even if there is no landfill at the location of the recycling activity.

DHEC Landfill Categories

Municipal Solid Waste Landfills

Construction, Demolition, and Land-Clearing (C&D) Debris Landfills

Short-Term C&D Landfills (Part I).

Land-Clearing Debris and Yard Trash Landfills (Part II).

Permanent Industrial C&D Landfills (Part III).

Long-Term C&D Landfills (Part IV).

Industrial Solid Waste Landfills

Landfills (Limited) shall have a landfill area which does not exceed four acres and is operational for less than two years. This activity category does not include a Municipal or Industrial Solid Waste Landfill, the disposal of hazardous materials, or the on-site processing of construction, demolition, and/or land-clearing debris for recycling.

Landfills (Intermediate) shall have a landfill area which does not exceed twelve acres. This activity category does not include the disposal of hazardous materials, but may include the on-site processing of construction, demolition, and/or land-clearing debris for recycling provided the amount of unprocessed material stored above ground does not exceed 6,000 cubic yards.

Landfills (Extensive) include all other landfills not included within the definition of Landfill (Limited) or Landfill (Intermediate). This activity category also includes the on-site processing of construction, demolition, and/or land-clearing debris for recycling.

91.30 Application of Regulations

Upon the effective date of these regulations, Landfill Operations can be developed or expanded only in accordance with the applicable restrictions contained herein. Legally nonconforming Landfill Operations are subject to the provisions found in Article 11, Nonconformity.

91.40 Zoning Permit

It shall be the sole responsibility of a Landfill Operation owner to establish and operate a Landfill Operation in accordance with the regulations as set forth in this article. The zoning permit shall be issued on the basis of compliance with all applicable state and local regulations.

Chapter 2. Regulations

92.10 Adherence to Other Regulations

The Landfill Operation regulations contained herein are in addition to any applicable regulations from the South Carolina Department of Health and Environmental Control (SCDHEC) and any other state or federal agencies. A Landfill Operation shall be issued a zoning permit only after receiving an approval from Lexington County as to its compliance with all County Solid Waste Regulations.

92.20 Buffering Restrictions

Each Landfill Operation shall adhere to the Buffering Restrictions covering height regulations, buffers, setbacks, and screening as outlined in Chapter 3 of Article 2.

92.21 Buffers

In the event that an encroachment appears to be within the buffer area, and/or the buffer area is likely to be encroached unintentionally, the designated buffer area may be required to be clearly delineated by a material approved by the Zoning Administrator.

92.22 Setbacks

While accessory activities such as driveways and parking can occur within the designated setback, landfill operations may not encroach on any part of the setback area. Sites with natural vegetation may qualify for a reduction as stated in section 92.23, paragraph 2 below.

92.23 Screening

1. Landfill (Limited) operations may install vegetative or man-made screening materials. However, man-made screening materials must be removed within 60 days of the closure of the site.
2. Landfill (Intermediate & Extensive) operations must use natural or landscaped vegetation for screening. This screening may include the use of earthen berms and does not exclude the use of fencing for safety reasons. A setback reduction of 25% may be obtained if existing natural vegetation meeting the partial screening requirement, as determined by the Zoning Administrator, is left undisturbed.
3. Total road frontage screening is required in all districts.

92.30 Access

The chart contained in Section 22.02 designates the street classification necessary to access Landfill Operations. The following additional requirements must be met:

1. A Landfill (Intermediate) operation is allowed access by a local street provided that road is paved.
2. A Landfill (Extensive) operation is allowed access by a collector street provided that road is paved.

The appropriate street access shall not be an issue if all of the vehicular activity associated with the landfill is self-contained on the site, as in a Permanent Industrial C&D Landfill (Part III).

92.40 Driveways

Driveway access to a paved road must consist of an asphalt apron at least 100 feet in length. Driveway access to an unpaved road must be stabilized in a manner to reduce excessive fugitive dust. Those driveways may also be required to have deceleration and/or acceleration lanes as a part of an encroachment permit from either Lexington County or the South Carolina Department of Transportation.

92.50 Hours of Operation

The following hours of operation restrictions shall apply:

Landfill (Limited)	7:00 a.m. to 7:00 p.m., Monday through Friday
Landfill (Intermediate)	7:00 a.m. to 7:00 p.m., Monday through Saturday
Landfill (Extensive)	No restriction for hours of operation

92.60 Limits on Traffic

The following operational limits shall apply in order to restrict the truck traffic in certain circumstances:

		Average Rate for the Day (Trucks per Hour)	Actual Count per Hour (Trucks per Hour)
Landfill (Limited):	Local Street (unpaved)	one	three
	Local Street (paved)	three	six
	Collector Street (unpaved)	three	six
	Collector Street (paved)	no limit	no limit
	Arterial	no limit	no limit
Landfill (Intermediate):	Local Street (unpaved)	no access is allowed	
	Local Street (paved)	three	six
	Collector Street (unpaved)	three	six
	Collector Street (paved)	no limit	no limit
	Arterial	no limit	no limit
Landfill (Extensive):	Local Street (unpaved)	no access is allowed	
	Local Street (paved)	no access is allowed	
	Collector Street (unpaved)	no access is allowed	
	Collector Street (paved)	no limit	no limit
	Arterial	no limit	no limit

92.70 Performance Standards

Each Landfill Operation shall adhere to the Performance Standards as outlined in Chapter 4 of Article 2. It should be noted that one of those standards that requires extra attention during the design of a landfill operation are the limits placed on noise. Earthen berms are one of the few methods that will contain the noise on-site at a level that meets the standards contained in this ordinance

ACTIVITIES

			HEIGHT	BUFFER	SETBACKS from		SCREENING	
			(#/1)		Adjoining Property	Road R.O.W.	Total	Partial
Group Assembly (Extensive)	R		¼	100	250	100	150	300
	I		3					
Group Housing	R		1	20	20*	20		
	I		3					
* Setback must maintain a minimum 30' line of sight.								
Hospitals	R		¼	70	100	50	150	225
	I		3					
Kennels and Stables	R		¼	50	75	40	75	100
	I		2					
Landfills (Limited)	R		¼	50	150/200#	30	700	1000
	I		1	20	75/200#	20	300/700#	600/1000#
Landfills (Intermediate)	R		¼	100	200/500#	50	900	1400
	I		1	30	100/500#	20	400/900#	700/1500#
Landfills (Extensive)	R		¼	200	300/1000#	100	1200	2000
	I		1	70	100/1000#	50	600/1200#	900/2000#
Total road frontage screening is required in all districts.								
# This extra protection shall be afforded in all districts, but only relative to Residential Detached and Mobile Home activity already in use on surrounding properties. In such cases the extent of this extra protection, if any, shall be determined in accordance with Special Rule #1 as if the Residential Detached or Mobile Home activity was a Grandfathered Residential Use within an Intensive Development District.								
Manufacturing (Light Assembly)	R		¼	50	75	30	75	100
	I		3					
Manufacturing (Limited)	R		¼	70	100	50	150	225
	I		3					
Manufacturing (Intermediate)	R		¼	125	250	150	200	300
	I		2					
Manufacturing (Extensive)	R		¼ 4	250	500	200	500	750
	I		1	100	150	100		250
Marinas	R		½	50	70	40	75	100
	I		3					
Medical Services	R		½	20	30	30	30	50
	I		3					
Military Installations	R		¼	500	1000	200	600	1000
	I		1	250	500	100		
Mining (Limited)	R		¼	50	150	30	700	1000
	I		1	20	75	20	300	600
Mining (Intermediate)	R		¼	100	200	50	900	1200
	I		1	30	100	20	400	700
Mining (Extensive)	R		¼	200	300	100	1200	1800
	I		1	70	100	50	600	900
Total road frontage screening is required in all districts.								
Mini-Parks	R		1	30	50	20		
	I		3					

- g. A landscape plan must be proposed that exceeds the requirements of the Lexington County Landscape Ordinance by including shrubbery that enhances the site in the same way that it adds to the visual appeal of a residential setting.

In determining if a proposed development meets these architectural standards, the Zoning Administrator shall act as the initial evaluator and will be required to render a decision as to whether the proposed design meets the intent of this section of the Ordinance. Anyone disagreeing with that decision may file an appeal with the Board of Zoning Appeals which shall act as the final arbiter.

23.50 Chart of Buffering Restrictions

The columnar chart below lists the buffering restrictions defined in this chapter as they apply to specific activities. Following are general rules and special rules for interpreting the chart:

23.51 General Rules

1. The restrictive (R) requirements in the chart apply to protected property lines within a Restrictive Development District or those which serve as the boundary between a Restrictive Development District and a Limited Restriction District, a municipality within Lexington County, or an adjacent county.
2. The intensive (I) requirements in the chart apply to protected property lines within an Intensive Development District or those which serve as the boundary between an Intensive Development District and a Limited Restriction District, a municipality within Lexington County, or an adjacent county.
3. For property lines which serve as the boundary between a Restrictive Development District and an Intensive Development District, the restrictive (R) requirements shall apply for the protection of property on the Restrictive Development District side of the boundary relative to land uses on the Intensive Development District side of the boundary. Similarly, the intensive (I) requirements shall apply for the protection of property on the Intensive Development District side of the boundary relative to land uses on the Restrictive Development District side of the boundary.
4. When an activity is located on a parcel which is separated from surrounding protected property by existing road or railroad rights-of-way, by utility rights-of-way, by water bodies, or by other parcels, then the buffering restrictions applicable to that activity shall be measured across such separation from the protected property lines.
5. Activities that provide total screening using existing natural vegetation and/or landscaped vegetation (including planted berms) shall be eligible for a 50% reduction in buffer and setback requirements. Acceptability of screening for this reduction shall be determined by the Zoning Administrator. The following activities are not eligible: Detention Centers, Recycling Centers, Salvage/Wrecking Yards, Scrap Operations, Sexually Oriented Businesses, and Utility Substations.

23.52 Special Rules

However, the general rules above for interpreting the chart shall be modified by the special rules below in items "1" through "5" where applicable.

1. Grandfathered residential uses within an Intensive Development District shall be afforded the restrictive (R) requirements in the chart relative to land uses on surrounding properties in the following manner:

Those portions of the property lines of a grandfathered residential use which are within 125 feet of that use's principal activity [generally the building footprint(s)] shall be considered protected property lines to the extent of 100% of the restrictive (R) requirements in the chart relative to the applicable activity on the surrounding property.

Those portions of the property lines of a grandfathered residential use which are within 250 feet of, but more than 125 feet from, that use's principal activity [generally the building footprint(s)]

shall be considered protected property lines to the extent of 50% of the restrictive (R) requirements in the chart relative to the applicable activity on the surrounding property. This 50% level of protection shall be determined by halving the distances imposed for the height, buffer, setback from adjoining property, total screening, and partial screening requirements.

Those portions of the property lines of a grandfathered residential use which are more than 250 feet from that use's principal activity [generally the building footprint(s)] shall be considered protected property lines to the extent of 100% of the intensive (I) requirements in the chart relative to the applicable activity on the surrounding property.

2. Those portions of the property lines of a parcel within a Restrictive Development District which serve as the boundary between the Restrictive Development District and an Intensive Development District, and which have no grandfathered residential use within 125 feet, shall be considered protected property lines to the extent of 50% of the restrictive (R) requirements in the chart relative to the applicable activity in the Intensive Development District. This 50% level of protection shall be determined by halving the distances imposed for the height, buffer, setback from adjoining property, total screening, and partial screening requirements.
3. Notwithstanding special rules 1 and 2 above, certain portions of the property lines of a parcel within either a Restrictive Development District or an Intensive Development District, or both, upon which there is an existing non-residential principal activity, shall be considered protected property lines only to the extent of 100% of the intensive (I) requirements in the chart relative to the applicable activity on the surrounding property. The portions of the property line so protected shall be those within 250 feet of either the principal or accessory uses of this non-residential activity.
4. When a protected property line runs through or borders an impoundment of water, but not a free-flowing watercourse, then the distances imposed for the buffer, setback from adjoining property, total screening, and partial screening, but not height, requirements (as first determined by applying the general rules and special rules above) shall be measured such that each linear foot of traverse over the water impoundment shall count as only one half foot toward the total distance imposed. On Lake Murray the water impoundment is considered to be that area bounded by the 360-foot contour (MSL). Since screening of activities on water surfaces is not feasible, the partial screening requirements will typically control the distance separation over water impoundments.
5. All activities shall provide partial screening, as applicable, relative to Residential Detached and Mobile Home activity already in use or permitted prior to October 28, 1998, on surrounding properties also located in an Intensive Development District. In such cases the extent of this extra protection, if any, shall be determined in accordance with Special Rule #1.

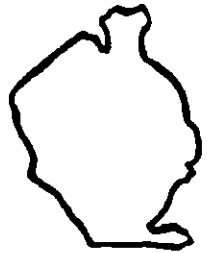
Any Residential Detached or Mobile Home activity in an Intensive Development District in use or permitted after October 27, 1998, shall be responsible for providing their own screening, if desired, from adjacent land uses.

ACTIVITIES

		HEIGHT (#1)	BUFFER	SETBACKS from		SCREENING	
				Adjoining Property	Road R.O.W.	Total	Partial
Administrative Offices	R	1/2	20	30	30	30	50
	I	3					
Advertising Signs	R	1/4	30	50	30	50	75
	I	3		10	10		
Additional height limitations are found in Section 25.60.							
Animal Operations	R	1		30	30		
	I	3					
Setbacks apply to buildings only							




COUNTY OF LEXINGTON
PUBLIC WORKS DEPARTMENT
ENGINEERING



M E M O R A N D U M

DATE: September 19, 2005

TO: Art Brooks County Administrator

FROM: John Fechtel, Public Works Director
Asst. County Administrator 

RE: New Stormwater Fees and Expenditures

Attached is a recap showing the proposed new revenues based on Exhibit "A-1" tentatively approved by County Council. Additional fees are included at the bottom of the Proposed Fees Schedule (other fee charges) that were partially shown in the previous package. This recap also shows the additional costs of the new positions (Engineering Associate I and II, Inspector and Plan Reviewer) and upgrading the part-time clerical position to full-time. Both revenues and expenses are computed at a full year and three-quarter (3/4) year estimates. Also attached are copies of the budget for three (3) inspectors and three (3) reviewers presently in the budget.

The anticipated revenue is based on the last six (6) months of projects submitted (January 1 to June 30) and does not reflect any projects that may go directly to a private engineering firm for expedited review, once that decision is finalized. It is anticipated \$570,270 would be generated annually. On an annual basis our expenditures would be \$109,716 for the two (2) engineering positions and \$30,959 for the clerical upgrade or a total of \$140,675 above our existing budget. Our current budget for the existing six (6) employees (3 reviewers, 3 inspectors) totals \$351,602. This is a total expense of \$492,277 versus an anticipated \$570,270 of revenue but does not include any management overhead, only direct expenses.

Please present this to the committee of the whole for their consideration.

Attachment

COUNTY OF LEXINGTON
GENERAL FUND
Proposed Revenue
Annual Budget
Fiscal Year - 2005-06

Fund 1000
Division: Public Works

Object Code	Revenue Account Title	Current Budget 2005-06	Full Year Revenues Estimated 2005-06	3/4 Year Revenues Estimated 2005-06	BAR Adjustment
Public Works - Fees					
Revenues:					
437800	Stormwater Mgmt/Sediment Control Fee	20,000	570,270	427,704	407,704
	Full Year Fees: Proposed				
	- Subdivision Review	91,960			
	- Construction Inspection	132,960			
	- Commercial Review	110,800			
	- Construction Inspection	184,800			
		<u>520,520</u>			
	Other Fees Charges	49,750			
	Total Fees	<u>570,270</u>			
** Total Revenue		<u>20,000</u>	<u>570,270</u>	<u>427,704</u>	<u>407,704</u>
	(2) New Positions		109,716	82,600	
	(1) Position Reclassified		30,959	11,803	
***Total Appropriation			140,675	94,403	
Excess Revenue Generated			<u>429,595</u>	<u>333,301</u>	

COUNTY OF LEXINGTON
GENERAL FUND
New Personnel
Annual Budget
Fiscal Year - 2005-06

Fund: 1000
Division: Public Works
Organization: 121400 - Stormwater Management

Object Expenditure Code Classification	Engineering Associate I Grade 10	Engineering Associate II Grade 13	Full Year Funding	BAR 3/4 Year Funding
Personnel				
510100 Salaries & Wages - 2	33,813	38,978	72,791	54,593
511112 FICA Cost	2,587	2,982	5,569	4,176
511113 State Retirement	2,604	3,001	5,605	4,204
511120 Insurance Fund Contribution - 2	5,760	5,760	11,520	8,640
511130 Workers Compensation	902	1,040	1,942	1,457
* Total Personnel	45,666	51,761	97,427	73,070
Operating Expenses				
521000 Office Supplies	100	100	200	150
521100 Duplicating	50	50	100	75
521200 Operating Supplies	200	200	400	300
524201 General Tort Liability Insurance - 2	79	79	158	119
524202 Surety Bonds - 2	8	8	16	12
525000 Telephone		244	244	183
525210 Conference & Meeting Expenses	200	600	800	600
525020 Pagers & Cell Phones	468		468	351
525250 Motor Pool Reimbursement	8,100	203	8,303	6,227
525600 Uniforms & Clothing	250	100	350	263
* Total Operating	9,455	1,584	11,039	8,280
** Total Personnel & Operating	55,121	53,345	108,466	81,350
Capital				
540000 Small Tools & Minor Equipment	50	100	150	150
(1) Office Computer w/Software		1,100	1,100	1,100
** Total Capital	50	1,200	1,250	1,250
*** Total Budget Appropriation	55,171	54,545	109,716	82,600

COUNTY OF LEXINGTON
GENERAL FUND
Reclassify Position
Annual Budget
Fiscal Year - 2005-06

Fund 1000
Division, Public Works
Organization, 121100 - Administration

Object Expenditure Code Classification	Full Year Part-Time Clerk/Typist Grade 4	Part-Time 1/4 Year Funding	Balance Part-Time Funding	Full Year Full-Time Clerk/Typist Grade 4	3/4 Year Full-Time Clerk/Typist Grade 4	BAR Additional Funds Needed
Personnel						
510100 Salaries & Wages - 1				21,788	16,341	16,341
510300 Part-Time - 1	13,167	(3,292)	9,875			(9,875)
511112 FICA Cost	1,007	(252)	755	1,667	1,251	496
511113 State Retirement	1,014	(254)	760	1,578	1,260	500
511120 Insurance Fund Contribution - 1	0	0	0	5,760	4,320	4,320
511130 Workers Compensation	40	(10)	30	66	51	21
* Total Personnel	15,228	(3,808)	11,420	30,959	23,223	11,803
Operating Expenses						
* Total Operating	0	0	0	0	0	0
** Total Personnel & Operating	15,228	(3,808)	11,420	30,959	23,223	11,803
Capital						
** Total Capital	0	0	0	0	0	0
*** Total Budget Appropriation	15,228	(3,808)	11,420	30,959	23,223	11,803

SECTION I

COUNTY OF LEXINGTON

New Program Request

Fiscal Year - 2005-2006

Fund #	1000	Fund Title:	General
Organization #	121400	Organization Title:	Stormwater Mgt
Program #		Program Title:	Inspections - Residential & Commercial
Object Expenditure			Total
Code Classification			2005 - 2006
			Requested
Personnel			
510100 Salaries # 3			113,442
510300 Part Time #			
511112 FICA Cost			8,678
511113 State Retirement			8,735
511114 Police Retirement			
511120 Insurance Fund Contribution # 3			17,280
511130 Workers Compensation			3,028
511131 S.C. Unemployment			
* Total Personnel			151,163
Operating Expenses			
520100 Contracted maintenance			
520200 Contracted Services			
520300 Professional Services			
520400 Advertising			
521000 Office Supplies			200
521100 Duplicating			200
521200 Operating Supplies			500
522100 Equipment Repairs & Maintenance			
522200 Small Equipment Repairs & Maint.			50
522300 Vehicle Repairs & Maintenance			
523000 Land Rental			
524000 Building Insurance			
524100 Vehicle Insurance #			
524101 Comprehensive Insurance #			
524201 General Tort Liability Insurance			351
524202 Surety Bonds			24
525000 Telephone			480
525020 Pagers & Cellphones			1,404
525100 Postage			
525210 Conference & Meeting Expenses			300
525220 Employee Training			
525230 Subscriptions, Dues, & Books			600
525250 Motorpool Reimbursement			21,000
525 Utilities -			
525400 Gas, Fuel, & Oil			
525600 Uniforms & Clothing			500
526500 Licenses & Permits			
* Total Operating			25,609
** Total Personnel & Operating			176,772
** Total Capital (From Section II)			
*** Total Budget Appropriation			176,772

SECTION I

COUNTY OF LEXINGTON

New Program Request

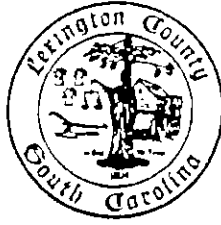
Fiscal Year - 2005-2006

Fund # 1000 Fund Title: General
 Organization # 121400 Organization Title: Stormwater Mgt
 Program # _____ Program Title: Plan Review - Residential & Commercial

Object Expenditure Code Classification	Total 2005 - 2006 Requested
Personnel	
510100 Salaries #_3	128,769
510300 Part Time #____	
511112 FICA Cost	9,851
511113 State Retirement	9,915
511114 Police Retirement	
511120 Insurance Fund Contribution #_3	17,280
511130 Workers Compensation	3,325
511131 S.C. Unemployment	
* Total Personnel	169,140
Operating Expenses	
520100 Contracted maintenance	
520200 Contracted Services	
520300 Professional Services	
520400 Advertising	
521000 Office Supplies	400
521100 Duplicating	1,000
521200 Operating Supplies	500
522100 Equipment Repairs & Maintenance	
522200 Small Equipment Repairs & Maint.	50
522300 Vehicle Repairs & Maintenance	
523000 Land Rental	
524000 Building Insurance	
524100 Vehicle Insurance #____	
524101 Comprehensive Insurance #____	
524201 General Tort Liability Insurance	351
524202 Surety Bonds	24
525000 Telephone	720
525100 Postage	600
525210 Conference & Meeting Expenses	600
525220 Employee Training	
525230 Subscriptions, Dues, & Books	200
525250 Motor Pool Reimbursement	800
525____ Utilities - _____	
525400 Gas, Fuel, & Oil	
525600 Uniforms & Clothing	500
526500 Licenses & Permits	
* Total Operating	5,745
** Total Personnel & Operating	174,830
** Total Capital (From Section II)	
*** Total Budget Appropriation	174,830

**Exhibit A-1
Lexington County
Proposed Fees**

Subdivision Review						
Flat Fee	# of Projects		Cost			
\$500.00	41		\$20,500.00			
Flat Fee	# of Lots					
\$10.00	2548		\$25,480.00			
			\$45,980.00			
Construction Inspection						
Flat Fee	# of Projects		Cost			
\$1,000.00	41		\$41,000.00			
Flat Fee	# of Lots					
\$10.00	2548		\$25,480.00			
			\$66,480.00			
Sub-Total				\$112,460.00		
Commercial Review						
Flat Fee	# of Projects					
\$500.00	74		\$37,000.00			
Flat Fee	Acres					
\$100.00	184		\$18,400.00			
			\$55,400.00			
Construction Inspection						
Flat Fee	# of Projects					
\$1,000.00	74		\$74,000.00			
Flat Fee	Acres					
\$100.00	184		\$18,400.00			
			\$92,400.00			
Sub-Total				\$147,800.00		
					\$260,260.00	6 Months
					\$520,520.00	1 Year
Other Fee Charges						
Sediment and Erosion Permit		\$500.00	10	X		\$5,000.00
Land Disturbance Permit Level II		\$250.00	60	X		\$15,000.00
Additional Plan Revisions (Subdivision)		\$500.00	40	X		\$20,000.00
All reinspections		\$200.00	30	X		\$6,000.00
Additional Plan Revisions (Commercial)		\$250.00	15	X		\$3,750.00
						\$49,750.00



COUNTY OF LEXINGTON, SOUTH CAROLINA

RESOLUTION

**THE COUNCIL FOR THE COUNTY OF LEXINGTON, SOUTH CAROLINA,
MEETING IN GENERAL SESSION THE 27TH DAY OF SEPTEMBER,
TWO THOUSAND AND FIVE ADOPTED THE FOLLOWING:**

WHEREAS, many young men and women of the Gilbert community have served throughout the world in the active duty forces of the United States; the Reserves and National Guard; and

WHEREAS, the veterans and active military of the Gilbert community have served at great personal sacrifice to themselves and their families; and

WHEREAS, the people of the Gilbert community will gather on October 30, 2005, to thank these veterans and active military for their service to our community, state, and country; and

WHEREAS, the students of the Gilbert community schools will display through music, artwork, and poetry their appreciation for what these men and women veterans and active military have contributed.

NOW, THEREFORE, BE IT RESOLVED that we, the members of Lexington County Council, do express our sincere and heartfelt appreciation to these men and women as we commemorate their selfless and dedicated service to the Gilbert community, Lexington County, the State of South Carolina, and the United States of America.

M. Todd Cullum, Chairman

Joseph W. "Joe" Owens, V Chairman

William C. "Billy" Derrick

George H. "Smokey" Davis

Debra B. Summers

Bobby C. Keisler

Johnny W. Jeffcoat

John W. Carrigg, Jr.

A P P O I N T M E N T S - B O A R D S & C O M M I S S I O N S

September 20, 2005

DISTRICT 1 - VACANT

Library Board - D. Joanne Clark - Term expires 9/26/05 - Eligible for reappointment

Museum Commission - Glenna Lou Craft - Term expires 11/01/05 - Eligible for reappointment

SMOKEY DAVIS

Library Board - Vacant - Term expires 9/26/07

DEBBIE SUMMERS

Museum Commission - Miley Hall Rhodes - Term expires 11/01/05 - Eligible for reappointment

BOBBY KEISLER

Children's Shelter - Mary L. Miller - Term expired 6/30/05 - Not eligible for reappointment

JOHNNY JEFFCOAT

Children's Shelter - Christine B. Westbrook - Term expired 6/30/05 - Eligible for reappointment

Library Board - Donna J. Bower - Term expires 9/26/05 - Eligible for reappointment

Museum Commission - Sandra Burdett - Term expires 11/01/05 - Not eligible for reappointment

JOHN CARRIGG

Children's Shelter - Vacant - Term expired 6/30/01

JOE OWENS

Accommodations Tax Board - Vacant - Term expires 12/31/06

Assessment Appeals Board - Paige Hicks - Term expires 9/21/05 - Eligible for reappointment

TODD CULLUM

Assessment Appeals Board - Bill Power - Term expired 9/21/04 - Eligible for reappointment

Children's Shelter - Vacant - Term expired 6/30/03

AIKEN/BARNWELLCOUNTIES COMMUNITY ACTION COMMISSION, INC.

Juanice Aaron - Term expires 12/31/05 - Eligible for reappointment

BUILDING CODE BOARD OF APPEALS

Building - E. D. Sturkie - Term expired 8/13/04 - Not eligible for reappointment

Plumbing - Perry Kimball - Term expired 8/13/03 - Not eligible fo reappointment

Engineering - Todd F. Swygert - Term expired 8/13/05 - Eligible for reappointment

Architect - John Derrick - Term expired 8/13/05 - Not eligible for reappointment

Contractor - Robert F. Murray - Term expired 8/13/05 - Eligible for reappointment

REGIONAL TRANSIT AUTHORITY

At-Large Appointment (no term limit)

Andrew R. Gambrell (Resigned)

Lowell C. Spires, Jr.

MIDLANDS WORKFORCE DEVELOPMENT BOARD

Labor - John Allen or Jessie Weaver

Education - (Perkins Vocational Education) - Gene Rountree

(Adult Education) - Vicky Horne or Myles Newman

Department of Social Services - Richelynn Douglas or William Walker

Community-Based Organization - Kathy Olsen or Jarrell Smith

Private Sector - Chevis (Chet) Ballentine, Tommy Mathias, Kama Staton, George Whittier,
Debbie Cannon, Frank Price



MIDLANDS WORKFORCE DEVELOPMENT BOARD

Working Together for Tomorrow's Workforce

Dot,

Attached are the applications for consideration to the Midlands Workforce Development Board. Where possible, we have solicited more than one nomination to give Council members a choice in selecting appointees. We are still working on nominations for the one seat and will forward that to you as soon as we have it. The seat summary is as follows:

- Labor
 - John Allen or Jesse Weaver
- Education
 - Perkins Vocational Education – Gene Rountree (reappointment)
 - Adult Education – Vicky Horne or Myles Newman
- Department of Social Services
 - Richelynn Douglas or William Walker
- Community-Based Organization
 - Kathy Olsen or Jarrell Smith
- Private Sector (4Seats)
 - Chet Ballentine (reappoint)
 - Tommy Mathias (reappoint)
 - Kama Slaton
 - George Whittier
 - Debbie Cannon
 - Frank Price

If you have any questions, please don't hesitate to call me at (803) 744-1670 ext 101. Thank you for all of your assistance with this matter.

Sincerely,

Bonnie Austin, Director
Midlands Workforce Development Board

**LEXINGTON COUNTY COUNCIL
BOARD/COMMISSION NOMINATION FORM**

Name of Board/Commission: Midlands Workforce Development Board

Nominee: John Allen

Address: 212 Transom Court Gaston, SC 29053

Employed by: American Federal Govt Employees, Local 1915

Address: PO Box 9223 Columbia, SC 29209

Home Telephone: (803) 791-7003 **Business Telephone:** (803) 776-4000 ext 623

Mobile Phone: _____ **Beeper Number:** _____

Fax Number: (803) 776-8252

Is nominee aware of board/commission activities and responsibilities: yes

Background information (include education, community- service activities, previous service county boards/commissions):

I have a Master's degree in Management, BS in Recreational Therapy, CTRS, MA. I work as a Recreational Therapist in Mental Health. I have more than 20 years with Federal Government. I attend New Hope Worship Center in Gaston where I am a member and on the Deacon Board. I coach soccer, softball, and baseball with my sons and on a AFGE sponsored team. I have served as Chaplain, Assistant Safety Officer, State Legislative Chairman and also with 5th District including 5 states. I serve on several hospital-wide (Dorn VA) committees including Chairman for hospital wellness, FOC, safety, psychiatric services, and PMDB committee. I also teach PMDB to employ and conduct groups for patients.

Submitted by: _____

Date: _____

**LEXINGTON COUNTY COUNCIL
BOARD/COMMISSION NOMINATION FORM**

Name of Board/Commission: Midlands Workforce Development Board

Nominee: Jesse Weaver

Address: 137 High Knoll Court, Gilbert, SC 29054

Employed by: BellSouth

Address: 310 Clark Street, Chapin, SC 29036

Home Telephone: 803-237-8550 **Business Telephone:** 803-319-4061

Mobile Phone: _____ **Beeper Number:** _____

Fax Number: _____

Is nominee aware of board/commission activities and responsibilities: _____
Yes

Background information (include education, community- service activities, previous service on county boards/commissions):

US Navy, BellSouth employee for over 30 years, Communications Workers of America Local 3706 Legislative Chair 1996-, S.C. AFL-CIO Vice President 2001-

Submitted by: _____

Date: _____

**LEXINGTON COUNTY COUNCIL
BOARD/COMMISSION NOMINATION FORM**

Name of Board/Commission: Midlands Workforce Development Board

Nominee: A. Eugene Rountree

Address: 460 Barr Road Lexington SC 29072

Employed by: Food Service, Inc. – Owner

Address: 273 Riverchase Way Lexington SC 29072

Home Telephone: (803) 359-5081 **Business Telephone:** (803) 791-4520

Mobile Phone: (803) 348-0707 **Beeper Number:** _____

Fax Number: (803) 739-0215

Is nominee aware of board/commission activities and responsibilities: yes

Background information (include education, community- service activities, previous service county boards/commissions):

Commissioner – Midlands Technical College

Greater Columbia Chamber of Commerce Board of Directors & Executive Committee

Committee of 100 Board of Directors

Midlands Education & Business Alliance

Central Carolina Economic Development Alliance

Education Improvement Council, President of the PTA

USC Capital Campaign – Steering Committee

Lexington Chamber of Commerce President (1989-1990) & Board of Directors (1986-1990)

Lexington Baptist Church Board of Deacons & Sunday School Teacher

Submitted by: _____

Date: _____

**LEXINGTON COUNTY COUNCIL
BOARD/COMMISSION NOMINATION FORM**

Name of Board/Commission: Midlands Workforce Development Board

Nominee: Vicky Graham Horne

Address: 112 Water View Drive
Columbia, S.C. 29212

Employed by: School District Five of Lexington and Richland Counties

Address: 1020 Dutch Fork Rd. P.O. Box 938
Ballentine, S.C. 29002

Home Telephone: (803) 781-0164 **Business Telephone:** (803) 732-8100

Mobile Phone: (803) 360-2471 **Beeper Number:** none

Fax Number: (803) 732-8573

Is nominee aware of board/commission activities and responsibilities:
Yes

Background information (include education, community- service activities, previous service on county boards/commissions):

Position: District Director of Adult and Community Education

Education: M.A. and B.A. Degree in Education from USC
Certification in Secondary Administration

Community Service Activities: Served as club sponsor and service coordinator for various clubs at the middle school level in which thousands of dollars were raised for various organizations such as Sister Care, Ronald McDonald House, and Oliver Gospel Mission.

Awards: Teacher of the Year for CrossRoads Middle School and School District Five, Runner-up for Teacher of the Year for S.C., National Board Certification, elected member of the State Teacher Forum

Submitted by: _____

Date: _____

**LEXINGTON COUNTY COUNCIL
BOARD/COMMISSION NOMINATION FORM**

Name of Board/Commission: Midlands Workforce Development Board

Nominee: Myles Newman

Address: 309 Peach Cider Court, Gilbert SC 29054

Employed by: Lexington School District One

Address: 2421 Augusta Highway Lexington, SC 29072

Home Telephone: (803) 892-5856 **Business Telephone:** (803) 359-4031

Mobile Phone: (803) 609-4326 **Beeper Number:**

Fax Number: (803) 808-4646

Is nominee aware of board/commission activities and responsibilities: Yes

Background information (include education, community- service activities, previous service on county boards/commissions):

B.A. University of South Carolina

M. A. Georgia Southern University

ICAP (Immigrant Community Access Point) Board

Youth Baseball

Midlands Literacy Initiative Board (United Way)

Submitted by:

Date:

**LEXINGTON COUNTY COUNCIL
BOARD/COMMISSION NOMINATION FORM**

Name of Board/Commission: Midlands Workforce Development Board

Nominee: Richelynn Douglas

Address: 129 Cobblestone Court Chapin, SC 29036

Employed by: South Carolina Department of Social Services

Address: Post Office Box 1520 Columbia, SC 29202

Home Telephone: (803) 932-0687 **Business Telephone:** (803) 898-7417

Mobile Phone: (920) 9430 **Beeper Number:** _____

Fax Number: _____

Is nominee aware of board/commission activities and responsibilities: yes

Background information (include education, community- service activities, previous service county boards/commissions):

Education: BS Degree in Sociology, Certified Licensed Social Worker and Certified Rehabilitation Counselor

Work Experience: more than 15 years of experience as Director or Administrator of Social Services Programs including State and County level

Community-Service activities: Richland County First Steps, United Way volunteer, Midlands Workforce Development Board & Youth Council, Columbia Business and Professional Women's Association, Columbia League of Women Voters, Gamma Nu Chapter of the Alpha Kappa Alpha Sorority

Submitted by: _____

Date: _____

**LEXINGTON COUNTY COUNCIL
BOARD/COMMISSION NOMINATION FORM**

Name of Board/Commission: Midlands Workforce Development Board

Nominee: William E. Walker

Address: 226 Shuler Road Columbia, SC 29212

Employed by: Lexington County Department of Social Services

Address: 541 Gibson Road Lexington SC 29072

Home Telephone: (803) 781-5124 **Business Telephone:** (803) 785-2921

Mobile Phone: (803) 920-1920 **Beeper Number:** (800) 202-9288

Fax Number: (803) 785-7438

Is nominee aware of board/commission activities and responsibilities: yes

Background information (include education, community- service activities, previous service county boards/commissions):

Newberry College - BA

University of South Carolina - MPA

Previous service on county boards/commissions:

Rotary Club of Lexington

Lexington Chamber of Commerce

Lexington Health Partners

Midlands Workforce Development Board

Submitted by: _____

Date: _____

**LEXINGTON COUNTY COUNCIL
BOARD/COMMISSION NOMINATION FORM**

Name of Board/Commission: Midlands Workforce Development Board

Nominee: Kathy Olson

Address: 200 East Passage Columbia, SC 29212

Employed by: United Way of the Midlands

Address: 1800 Main Street Columbia, SC 29201

Home Telephone: (803) 732-8901 **Business Telephone:** (803) 733-5412

Mobile Phone: _____ **Beeper Number:** _____

Fax Number: (803) 779-7803

Is nominee aware of board/commission activities and responsibilities: yes

Background information (include education, community- service activities, previous service on co boards/commissions):

Formal Ed - BS, majors in Audiology/Speech Pathology and Psychology; Certification in Family Literacy Implementation & Training, Outcome Measurement Training, Six Sigma Yellow Belt Training (Honeywell)

Community Service – E-Mentoring Middle School Project (03); Destination ImagiNation Competition App (03); Women In Philanthropy (03-05); Adult Literacy Tutor; Boards - SC State Advisory & Planning Board Adult Literacy and Education; WIA Youth Board; Planning Committees for Title I & II for 1998 WIA; SC Family Literacy Consortium; Midlands Education and Business Alliance

Submitted by: _____

Date: _____

**LEXINGTON COUNTY COUNCIL
BOARD/COMMISSION NOMINATION FORM**

Name of Board/Commission: Midlands Workforce Development Board

Nominee: Jarrell M. Smith, Ph.D.

Address: 108 Bent Needle Court Lexington SC 29072

Employed by: Nancy K. Perry Children's Shelter

Address: Post Office Box 344 Lexington, SC 29071

Home Telephone: (803) 356-4131 **Business Telephone:** (803) 359-8595

Mobile Phone: (803) 466-8847 **Beeper Number:** _____

Fax Number: (803) 359-8518

Is nominee aware of board/commission activities and responsibilities: yes

Background information (include education, community- service activities, previous service county boards/commissions):

Education: Ph.D. University of South Carolina; MA Ball State University; BA Georgia South
University

Employment: 12 years DJJ as a psychologist, Chief Psychologist and Asst Commissioner
Treatment. Professor of psychology & sociology. Presently employed as
Executive Director at NKP Children's Shelter.

Community-Service activities: member of Saxa Gotha Presbyterian Church, active in
scouting serve as Scoutmaster for Troop 307.

Submitted by: _____

Date: _____

**LEXINGTON COUNTY COUNCIL
BOARD/COMMISSION NOMINATION FORM**

Name of Board/Commission: Midlands Workforce Development Board

Nominee: Chevis (Chet) F. Ballentine, Jr.

Address: 521 Carriage Lake Drive Lexington, SC 29072

Employed by: Curves Fitness, Owner

Address: 521 Carriage Lake Drive Lexington, SC 29072

Home Telephone: (803) 356-0155 **Business Telephone:** _____

Mobile Phone: (803) 413-4946 **Beeper Number:** _____

Fax Number: (803) 359-6938

Is nominee aware of board/commission activities and responsibilities: yes. As a
member since 2000 and current Board Chairman.

Background information (include education, community- service activities, previous service on county boards/commissions):

Irmo High School; BS Clemson University; MBA University of South Carolina

Carriage Hill Lakes Homeowners Association Board member

St. Andrews Lutheran Church Council Member

Boy Scouts of America - Troop Leader

Midlands Workforce Development Board member for 5 years

Submitted by: _____

Date: _____

**LEXINGTON COUNTY COUNCIL
BOARD/COMMISSION NOMINATION FORM**

Name of Board/Commission: Midlands Workforce Development Board

Nominee: Thomas T. Mathias

Address: 4745 Augusta Road Lexington, SC 29072

Employed by: Pine Crest Marine – Owner

Address: 4745 Augusta Road Lexington, SC 29072

Home Telephone: (803) 894-4641 **Business Telephone:** (803) 356-3811

Mobile Phone: _____ **Beeper Number:** _____

Fax Number: (803) 356-0017

Is nominee aware of board/commission activities and responsibilities: yes. Member
of Midlands Workforce Development Board since 2000.

Background information (include education, community- service activities, previous service on county boards/commissions):

Lexington High School

University of South Carolina – Associate degree

St. Stephens Lutheran Church

Affiliated with: Lexington Little League, Chamber of Commerce, Better Business Bureau,

South Carolina Waterfowl, Ducks Unlimited, Wild Turkey Federation,

Wildlife Federation, B.A.S.S, Lexington Chorus, Gilbert Band, Lexington

Booster Club

Submitted by: _____

Date: _____

**LEXINGTON COUNTY COUNCIL
BOARD/COMMISSION NOMINATION FORM**

Name of Board/Commission: Midlands Workforce Development Board

Nominee: Kama Staton

Address: 1117 Lake Shire Drive West Columbia, SC 29170

Employed by: Lexington Medical Center

Address: 2720 Sunset Boulevard West Columbia, SC 29169

Home Telephone: _____ **Business Telephone:** 803-936-4104

Mobile Phone: 803-609-5255 **Beeper Number:** n/a

Fax Number: 803-936-7898

Is nominee aware of board/commission activities and responsibilities: yes

Background information (include education, community- service activities, previous service county boards/commissions):

BA Degree in Sociology/ Concentration: Human Relations/ Services and Management from University of South Carolina

Member of Midlands Education and Business Alliance, Chair Health Science Alliance

Member of Midlands Education and Business Alliance Board of Directors

Member of All-Health Advisory Team

Member of Lexington Chamber of Commerce, Education Subcommittee

Member of Midlands Speakers Bureau

Member of American Legion Auxiliary

Delta Gamma Sorority

Who's Who Among Supervisors and Associations

Field Study Reviewer for Health Science Curriculum for State Dept of Education

Submitted by: _____

Date: _____

**LEXINGTON COUNTY COUNCIL
BOARD/COMMISSION NOMINATION FORM**

Name of Board/Commission: Midlands Workforce Development Board

Nominee: George F Whittier

Address: 106 Misty Oaks Place, Lexington, SC, 29072

Employed by: Garlock Helicoflex

Address: 2770 The Boulevard, Columbia, SC 29209

Home Telephone: 803-808-0115 **Business Telephone:** 803-695-3534

Mobile Phone: 803-315-6210 **Beeper Number:** n/a

Fax Number: 803-783-2335

Is nominee aware of board/commission activities and responsibilities: Yes

Background information (include education, community- service activities, previous service county boards/commissions):

BS Mechanical Engineering from University of Cincinnati

"At-large" board member of neighborhood homeowners association (River Oaks)

Submitted by: George Whittier

Date: July 11, 2005

**LEXINGTON COUNTY COUNCIL
BOARD/COMMISSION NOMINATION FORM**

Name of Board/Commission: Midlands Workforce Development Board

Nominee: Deborah L. (Debbie) Cannon

Address: PO Box 191, Pelion, SC 29123

Employed by: CoMar Products, Inc.

Address: 1759 Airport Boulevard Cayce, SC 29033

Home Telephone: 803-894-3943 **Business Telephone:** 803-794-4229

Mobile Phone: 803-609-4985 **Beeper Number:** _____

Fax Number: 803-794-4243

Is nominee aware of board/commission activities and responsibilities: yes

Background information (include education, community- service activities, previous service on county boards/commissions):

I graduated from Pelion High School (75), Florida College (77). I am active in church activities, the Pelion Community Club, the SC Peanut Party Festival Committee and other local events. I have been married to Dan Cannon since 1975. We have 3 daughters, 2 sons-in-law and 4 grandchildren. My husband, Dan, is a commissioner with Lex. Co. Aging and Recreation and my father (Harvey Wise, Sr.) served on the Lexington County Council. Although I was not on the boards mentioned, I have been involved with both my dad and my husband as they served in their respective offices. I have just finished serving as the National President of the ICPA (the International Cast Polymer Alliance - a trade association for cultured marble companies) and am beginning a term on the board of the ACMA - the parent association of the ICPA. In my spare time, I serve as the President of CoMar Products Inc. - a family owned manufacturing business in the Pelion area. We are currently celebrating our 40th year in business.

Submitted by: Deborah L Cannon

Date: 7/21/05

**LEXINGTON COUNTY COUNCIL
BOARD/COMMISSION NOMINATION FORM**

Name of Board/Commission: Midlands Workforce Development Board

Nominee: Frank M. Price

Address: 7421 Broad River Road Columbia, SC 29210

Employed by: Frank Price Company

Address: 7421 Broad River Road Columbia, SC 29210

Home Telephone: _____ **Business Telephone:** (803) 732-1150

Mobile Phone: (803) 260-3362 **Beeper Number:** _____

Fax Number: (803) 732-4591

Is nominee aware of board/commission activities and responsibilities: yes

Background information (include education, community- service activities, previous service county boards/commissions):

Member and Volunteer:

Sertoma Club,

Irmo Chamber of Commerce,

Greater Columbia Chamber of Commerce

Lexington Chamber of Commerce

Submitted by: _____

Date: _____



COUNTY OF LEXINGTON, SOUTH CAROLINA

ORDINANCE 05-02B

AN ORDINANCE ADOPTING A SUPPLEMENTAL APPROPRIATION FOR FISCAL YEAR 2004-2005

Pursuant to the authority granted by the Constitution of the State of South Carolina and General Assembly of the State of South Carolina, be it ordained and enacted by the Lexington County Council as follows:

Section 1. Findings. Since the adoption of the annual budget for the Fiscal Year 2004-2005, County Council has determined that additional funding needs to be appropriated to meet certain needs of the County for Fiscal Year 2004-2005. County Council has further determined that additional appropriations may be made from the General Fund balance into specific accounts so as to meet any additional Fiscal Year 2004-2005 obligations of Lexington County.

NOW, THEREFORE, be it enacted by the County Council of Lexington County as follows: County Council hereby makes a supplemental appropriation in the sum of \$2,000,000.00 (Two Million and No/100 Dollars) from the County General Fund balance to specific accounts for certain building and space needs for the relocation of the Swansea Library and additions to the Gaston, Gilbert, and Chapin Libraries.

Enacted this _____ day of _____, 2005

M. Todd Cullum, Chairman

ATTEST:

Diana W. Burnett, Clerk

First Reading:

Second Reading:

Public Hearing:

Third Reading:

COMMITTEE REPORT

RE: Proposed Building to House South Region

DATE: July 13, 2005

COMMITTEE: Airport Committee

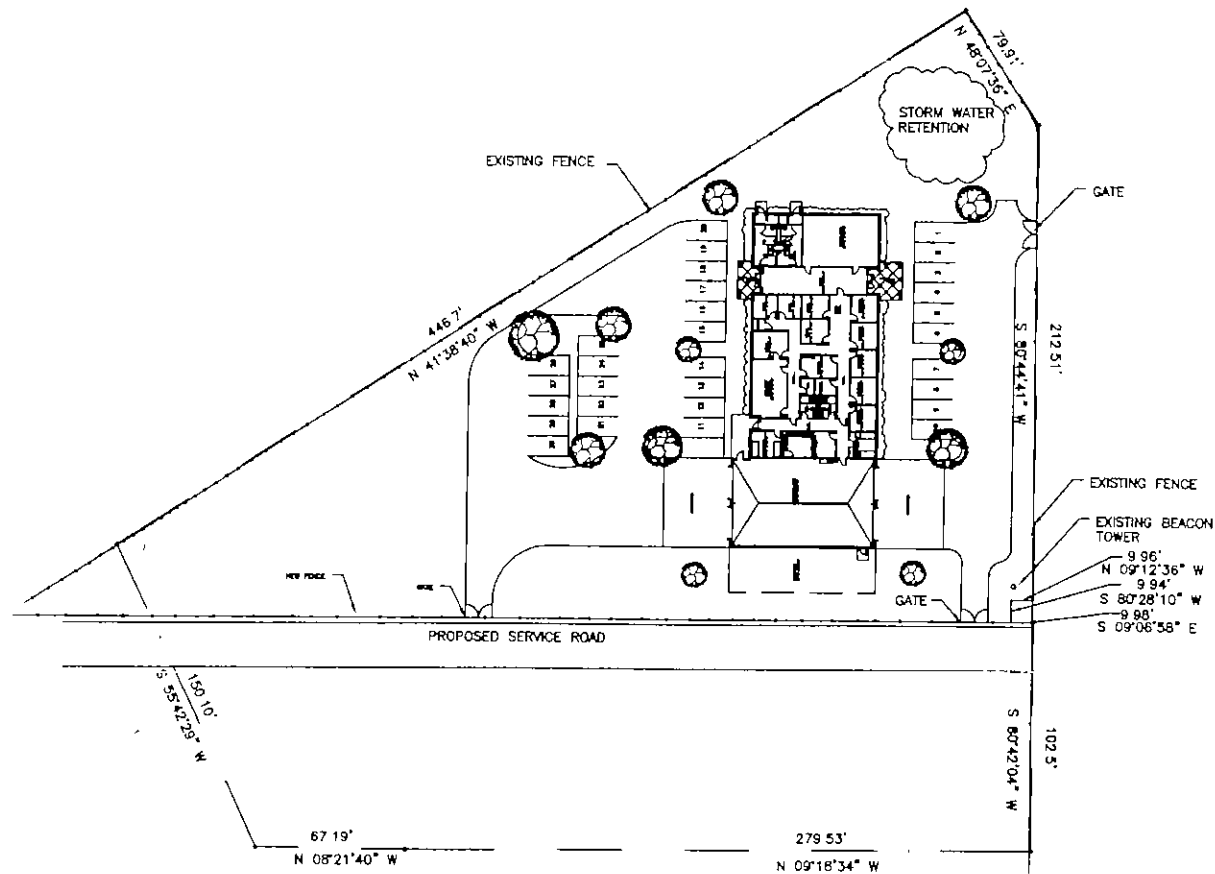
MAJORITY REPORT: Yes

The Airport Committee met on Tuesday, July 12, 2005 to consider the construction of a proposed building to house the South Region of the Sheriff's Department at the Lexington County Airport at Pelion.

Chief Rucker stated the proposed building would be used to house the South Region of the Sheriff's Department that is currently located on the premises of Gaston Copper. In addition, once the JET Team is in place, he would like to house them there as well. Chief Rucker said Council approved approximately \$671,240 in HUD funding as part of the airport five-year plan.

Chief Rucker asked that Council allow staff to move forward with obtaining bids for the proposed building.

After discussion, the committee voted to recommend to Council that staff proceed with the bid process.



**Derrick
&
Dunlap**

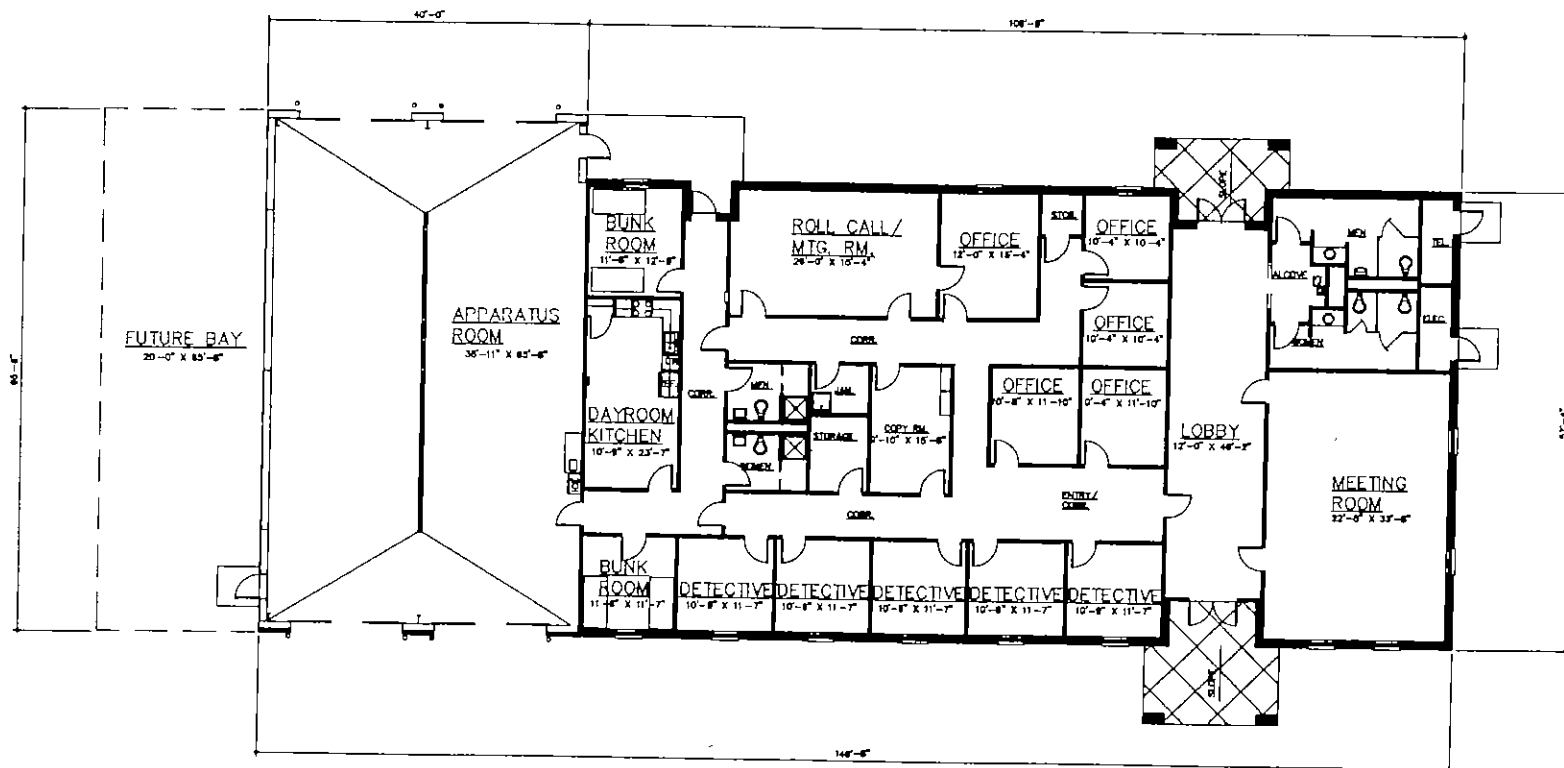
ARCHITECTS

P.O. BOX 84
COLUMBIA, SC 29902
PHONE: 803-790-5478
FAX: 803-790-8680

SHEET TITLE SITE PLAN

**SOUTH SERVICE CENTER
LEXINGTON COUNTY AIRPORT AT PELION**

LEXINGTON COUNTY, SOUTH CAROLINA



PROPOSED FLOOR PLAN

SCALE: 1/16" = 1'-0"

**Derrick
&
Dunlap**
ARCHITECTS

MIA, Inc. (dba)

P.O. BOX 84
COLUMBIA, SC 29202
PHONE: 803-790-5478
FAX: 803-790-8090

PROJECT TITLE: PROPOSED FLOOR PLAN		
SOUTH SERVICE CENTER LEXINGTON COUNTY AIRPORT AT PELION		
LEXINGTON COUNTY, SOUTH CAROLINA		
PROJECT NO: L158	DATE: 06/27/05	DRAWING NO: 2 OF 2

COUNTY OF LEXINGTON


Procurement Services


MEMORANDUM

(O) 785-8385
(F) 785-2240

DATE: September 12, 2005

TO: Art Brooks
County Administrator

THROUGH: Sheila R. Fulmer, CPPB
Procurement Manager 

FROM: Janice A. Bell, CPPB
Procurement Officer 

SUBJECT: Motorola 800 MHZ Radio and Accessories
Animal Services

We received a requisition for the purchase of one (1) Motorola 800 MHZ Radio and Accessories for Animal Services. The radio and accessories will be purchased directly from the manufacturer (Motorola) through the South Carolina State Contract #OIR2002.07. This radio will replace the LTS 2000 for the Animal Services Coordinator. The Coordinator is Class I Law Enforcement Certified and should have the Sheriff's Department channels programmed on his radio. The XTS 5000 radio is necessary in order to provide proper encryption currently utilized by the Sheriff's Department. Having immediate contact with deputies helps provide safety to officers in the field when emergency back-up is necessary. The total cost of these items including applicable sales tax is \$5,326.93.

Funds are appropriated in the following account:

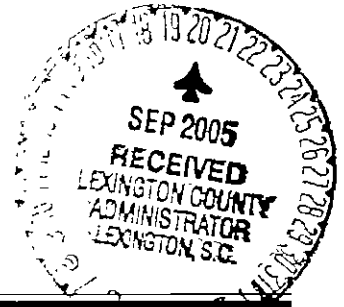
1000-131200-5A6056	(1) 800 MHZ Radio - Replacement	\$5,326.93
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I concur with the above recommendation and further recommend that this purchase be placed on County Council's agenda for their next scheduled meeting on September 27, 2005.

copy: Larry Porth, Director of Finance/Assistant County Administrator
Joe Mergo, Director of Solid Waste Management

COUNTY OF LEXINGTON

Procurement Services



MEMORANDUM

(O) 785-8319

(F) 785-2240

DATE: September 13, 2005

TO: Art Brooks
County Administrator

THROUGH: Sheila R. Fulmer, CPPB
Procurement Manager

A handwritten signature in cursive script that reads "Sheila R. Fulmer".

FROM: Donna J. Harris, CPPB
Procurement Officer

**SUBJECT: Solid Waste Collection (Green Box Service) - Term Contract - County Wide
BID NO. C06002-09/12/05H**

Competitive bids were solicited and advertised for a term contract for Solid Waste Collection (Green Box Service) located at facilities throughout the County.

We received two (2) bids and one (1) no bid (see attached bid tabulation). Bids were evaluated by Sheila R. Fulmer, Procurement Manager and Donna J. Harris, Procurement Officer. It is recommended that the award be made to Allied Waste Services of Columbia as the lowest bidder meeting specifications. The cost of this service is based on a period of one (1) year. The annual value of this contract is estimated at \$42,912.00 including applicable sales tax.

The term of this contract shall be for a period of one (1) year. The County may extend the contract for four (4) additional one year periods if deemed to be in the best interest of the County.

I concur with the above recommendation and further recommend that this bid be placed on County Council's agenda for their next scheduled meeting on September 27, 2005.

Attachment

copy: Larry Porth, Director of Finance/Assistant County Administrator
Ray Disher, Building Services Manager
Dan MacNeill, Director of Library Services
Chief Bruce E. Rucker, Assistant Sheriff / Director of Public Safety & Homeland Security
Russell Rawl, Fire Services Coordinator
Joe Mergo III, Director of Solid Waste Management

COUNTY OF LEXINGTON

BID TABULATION SHEET

DATE: September 13, 2005

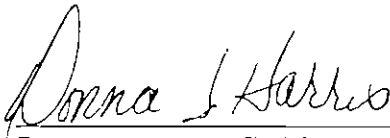
BID NUMBER C06002-09/12/05H

SOLID WASTE COLLECTION (GREEN BOX SERVICE) - TERM CONTRACT

BIDDER	TOTAL
Allied Waste Services of Columbia	\$42,912.00
Waste Management	\$62,077.68

A no bid response was received from Johnson's Garbage Service, Incorporated stating that they had insufficient time to respond.

Bids opened: September 12, 2005 @ 3:00 p.m.



Donna J. Harris, CPPB
Procurement Officer

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

DATE: September 19, 2005

TO: Art Brooks
County Administrator

FROM: Sheila R. Fulmer, CPPB
Procurement Manager



SUBJECT: Construction of a Fuel Farm, Access Road and Apron Expansion at the Lexington County Airport at Pelion
BID NO. B06006-09/19/05F (RE-BID)

Invitations for bids with revised specifications were advertised and solicited for the construction of a Fuel Farm at the Lexington County Airport at Pelion. The Access Road, Apron Expansion, and all site work will be provided by Lexington County Public Works Department (see attached breakdown). In an effort to preserve the intent of the original bid, competition was obtained only from the contractors that attended the original mandatory pre-bid. The revised solicitation requested prices for a 10,000 gallon underground fuel tank, all electrical work associated with installation, monitoring system, and card reader system. The County will provide excavation and setting of the new tank. An option was requested to provide cost for an additional 5,000 gallon underground fuel tank to house diesel fuel. Bids were received from two (2) contractors (see attached memo).

Bids were evaluated by David Brandes, Wilbur Smith and Associates, and Sheila Fulmer, Procurement Manager. It is our recommendation to award the underground fuel tank and electrical services to Southern Pump and Tank Company as being the lowest responsive bidder. The cost for the base bid of the project is \$95,727.00. The cost of the site work that will be provided by the Public Works Department is \$112,014.00. Construction Administration, Inspection, and Quality Control Testing will be provided by Wilbur Smith and Associates for a cost "not to exceed" \$41,259.00. The total cost of this project is \$249,000.00 (see attached breakdown). This project is part of the County's five (5) year Capital Improvement Plan (CIP) for the Airport and has been approved by the Federal Aviation Administration (FAA) for funding assistance.

The cost for the optional 5,000 gallon diesel tank is \$16,750.00. However, this option was not approved by the FAA for funding assistance.

FAA funds are available for the fuel farm, access road, and apron expansion for ninety-five percent (95%) of the project cost.

I concur with the above recommendation and further recommend that this bid be placed on County Council's agenda for their next scheduled meeting on September 27, 2005.

Attachments

copy: Larry Porth, Director of Finance / Assistant County Administrator
John Fechtel, Director of Public Works / Assistant County Administrator
Katherine Doucett, Human Resource Director / Assistant County Administrator
Ellis Gammons, Fleet Manager



September 19, 2005

Ms. Sheila Fulmer

Re: Fuel Tank Bids

Dear Ms. Fulmer:

1301 Geivais Street (29201)
Post Office Box 92
Columbia, SC 29202-0092
(803) 758-4500
(803) 251-2064 fax
www.wilbursmith.com

Wilbur Smith Associates have reviewed the bids taken by the County, September 19, 2005 publicly opened at 10:00 am. At 10:00 am, there was one sealed bid from Southern Tank. The base bid amount was Ninety-five thousand, Seven hundred twenty-seven dollars (\$95,727.00). After 10:00 am, a faxed bid was provided by Jones and Frank. Based on the instructions to bidders on correspondence from this office, that bid should be rejected for the following reasons:

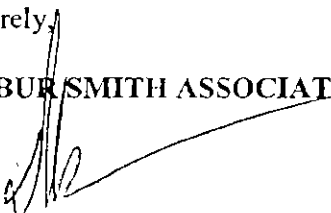
1. Bid was received after 10:00 am
2. Bid did not provide unit costs, only lump sum figures as the total
3. Bid was faxed and not sealed

Wilbur Smith Associates has reviewed the unit prices and bid from the apparent low bidder, Southern Tank and received award in the amount of Ninety-five thousand, Seven hundred twenty-seven dollars (\$95,727.00).

If you have any questions, please contact me, David Brandes at (803) 758-4514.

Sincerely,

WILBUR SMITH ASSOCIATES


David Brandes, P.E.
Vice President, Director of Site Development Division

Albany NY, Anaheim CA, Atlanta GA, Austin TX, Baltimore MD, Bangkok Thailand, Baton Rouge LA, Binghamton NY, Burlington VT, Charleston SC, Charleston WV, Chicago IL, Cincinnati OH, Cleveland OH, Columbia SC, Columbus OH, Dallas TX, Dubai UAE, Falls Church VA, Greenville SC, Harrisburg PA, Hong Kong, Hot Springs AR, Houston TX, Iselin NJ, Jacksonville FL, Kansas City MO, Kenmore WA, Knoxville TN, Lansing MI, Lexington KY, Lisle IL, London UK, Milwaukee WI, Mumbai India, Myrtle Beach SC, Nashville TN, New Haven CT, Orlando FL, Philadelphia PA, Pittsburgh PA, Portland ME, Poughkeepsie NY, Raleigh NC, Richmond VA, Riyadh Saudi Arabia, Salt Lake City UT, San Diego CA, San Francisco CA, St. Paul MN, Savannah GA, Tallahassee FL, Tampa FL, Tempe AZ, Trenton NJ, Washington DC

Employee-Owned Company

Lexington County Airport at Pelion
Budget for Fuel Farm Construction
19-Sep-05

A DESIGN SERVICES, BIDDING, CEI \$31,579

B CONSTRUCTION

Site Work by County	\$112,014	
Tank Contract including Tank and Electrical	\$95,727	
(10,000 Gallon Aviation Fuel Tank Only)		\$207,741

F CONSTRUCTION INSPECTION (CEI) \$7,680
(20HR/WK@\$48 x 8 WEEKS)

F QUALITY CONTROL TESTING	\$2,000
TOTAL PROJECT COST	<u>\$249,000</u>

SOUTHERN PUMP AND TANK COMPANY
ADDENDUM 2 - BID ITEMS
LEXINGTON COUNTY AIRPORT AT PELION
FUEL FARM PROJECT
TANK AND ELECTRICAL ONLY

Item No.	Spec. No.	Description	Unit	Quantity	Unit Price	Total
1	02584-2	Hand Hole 12"x6"x6" Concrete	EA	6	\$50.00	\$300.00
2	02584-3	Trench in Earth	LF	800	\$9.00	\$7,200.00
3	02584-4	Trench in Pavement	LF	50	\$50.00	\$2,500.00
4	02584-2	# 6 BC Counterpoise with Ground Rods	LF	800	\$0.625	\$500.00
5	16120-2	1/C, # 6 XHHW	LF	4,000	\$0.50	\$2,000.00
6	16120-3	1/C, # 12 XHHW - Control Wire	LF	3,000	\$0.50	\$1,500.00
7	16130-2	1" Galvanized Rigid Steel Threaded Conduit	LF	800	\$11.60	\$9,280.00
8	16130-3	2" PVC Schedule 60 Conduit	LF	400	\$8.00	\$3,200.00
9	16410-1	Molded Circuit Breaker, 2 Pole, 20 A	EA	2	\$15.00	\$30.00
10	16410-2	Molded Circuit Breaker, 1 Pole, 20 A		2	\$7.50	\$15.00
11	Mfg Specs.	Veeder Root Leak Detection System & Pumps Control System	LS	1	\$14,100.00	\$14,100.00
12	16410-6	Extend Telephone Line	LS	1	\$1,450.00	\$1,450.00
13	11140A	Under Ground Tank Complete, Including Tank - Setting of Tank, Associated, Appurtenances, and Equipment Complete. Excavations will be Completed	LS	1	\$53,652.00	\$53,652.00

**TOTAL BASE BID PRICE FOR TANK AND ELECTRICAL
(10,000 Gal Aviation Fuel Tank Only)**

\$95,727.00

14	11140B	Additive Alternate for Dual Tank for Diesel, 5000 Gallons, Incl. Separate Fuel Pump	LS	1	\$16,750.00	\$16,750.00
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**ADDENDUM 2 - BID ITEMS
LEXINGTON COUNTY AIRPORT AT PELION
FUEL FARM PROJECT
SITE WORK ONLY**

Item No.	Spec. No.	Description	Unit	Quantity	Unit Price	Total
1	P-101	Mobilization	LS	1	\$5,000.00	\$5,000.00
2	P-156	Temporary Gravel Construction Entrance/Exit	EA	1	\$800.00	\$800.00
3	P-151	Clearing and Grubbing	AC	1.72	\$5,600.00	\$9,632.00
4	P-152	Unclassified Excavation	CY	2,910	\$7.00	\$20,370.00
5	P-156	Silt Fence	LF	278	\$5.20	\$1,445.60
6	02513	Hot Mix Asphalt Concrete Surface Course - Type 1	TN	193	\$45.42	\$8,766.06
7	02513	Hot Mix Asphalt Concrete Binder Course - Type 1	TN	258	\$45.42	\$11,718.36
8	P-209	6" Crushed Aggregate Base Course for Roadway	CY	390	\$21.75	\$8,482.50
9	P-602	Bituminous Prime Coat	Gal	586	\$5.00	\$2,930.00
10	P-603	Bituminous Tack Coat	Gal	351	\$5.00	\$1,755.00
11	P-501	Portland Cement Concrete Pavement	CY	45	\$150.00	\$6,750.00
12	P-209	4" Crushed Aggregate Base Course for Apron Expansion	CY	25	\$21.75	\$543.75
13	F-162	6 Foot High Chain Link Fence with Barbed Wire	LF	75	\$22.90	\$1,717.50
14	F-162	6 Foot High 24-Foot Double Chain Link Gate	EA	1	\$1,590.00	\$1,590.00
15	PLANS	2" Ball Valve And 2" Steel Pipe	LS	1	\$100.00	\$100.00
16	T-901	Seeding	MSY	6.52	\$325.00	\$2,119.00
17	T-905	4" Topsoil	CY	700	\$8.00	\$5,600.00
18	T-908	Mulching	SY	6,500	\$0.20	\$1,300.00
19	PLANS	Pavement Marking - Aviation Yellow Paint with Glass Beads	SF	650	\$2.80	\$1,820.00
20	P-157	Remove Existing 3' Barbed Wire Fence - Complete	LF	155	\$5.00	\$775.00
21	P-157	Remove Existing Asphalt Pavement - Complete	SY	25	\$12.00	\$300.00
22	P-157	Remove Existing Fuel Farm & Associated Appurtenances	LS	1	\$3,000.00	\$3,000.00
23	P-157	Remove Existing Fuel Dispenser & Associated Appurtenances	LS	1	\$200.00	\$200.00
24	P-157	Remove Existing Abandoned Service Pole	LS	1	\$300.00	\$300.00
25	1140B	Excavating and Setting of Tank	LS	1	\$15,000.00	\$15,000.00
TOTAL BID PRICE						\$112,014.77

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

DATE: September 13, 2005

TO: Art Brooks
County Administrator

THROUGH: Sheila R. Fulmer, CPPB
Procurement Manager

FROM: Donna J. Harris, CPPB
Procurement Officer

Sheila R Fulmer
Donna J Harris

SUBJECT: Wireless RoamAbout Equipment and Software - Public Safety/Emergency Medical Services

We received a purchase request and recommendation from Chief Brian Hood, Emergency Medical Services Coordinator, for the purchase of equipment, software and installation of a RoamAbout R2 Wireless System. Emergency Medical Services (EMS) responds to more than 22,000 calls yearly and currently employs the same system for managing patient care records since its inception in 1974, therefore this system no longer meets the needs of the service. User fees (collections) can be increased by improvement in documentation and required "close-call rules." Response time and patient care can be improved by determining trends. Legal liability can be improved with regards to privacy issues, response times, and patient care issues. Computerized medical records would significantly streamline the administrative management of medical records, and provide greater efficiency in many areas, such as billing, (QA), reporting requirements, record-keeping, and inventory control, while reducing man hours and improving collections.

Data Network Solutions will provide the equipment and installation of the Roamabout R2 Wireless System through the South Carolina State Contract #04-S6261-A10265 at a cost of \$7,656.00. Software House International will provide the software through the South Carolina State Contract #01-S4072-A7243 at a cost of \$4,298.46, for a total cost \$11,954.46 including applicable sales tax.

Funds are appropriated in the following accounts:

4440-131400-5A6233	EMS Healthcare Delivery Systems	
	Computer Hardware	\$ 7,656.00
4440-131400-5A6234	EMS Healthcare Delivery Systems	
	Software (Patient Care Reporting)	\$ 4,298.46

I concur with the above recommendation and further recommend that this purchase be placed on County Council's agenda for their next scheduled meeting on September 27, 2005.

copy: Larry Porth, Director of Finance/Assistant County Administrator
Bruce Rucker, Assistant Sheriff/Director of Public Safety & Homeland Security
Chief Brian Hood, Emergency Medical Services Coordinator, Public Safety

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8385

(F) 785-2240

DATE: September 12, 2005

TO: Art Brooks
County Administrator

THROUGH: Sherla R. Fulmer, CPPB
Procurement Manager



FROM: Janice A. Ecell, CPPB
Procurement Officer



SUBJECT: Fleet Vehicle Replacements
Public Safety/Fire Service

We are in receipt of requisitions for the purchase of two (2) New 2006 Ford 15,000 LB Cab and Chassis Trucks for Public Safety/Fire Service. These trucks are available from Burns Automotive through South Carolina State Contract Number 05-S6667-A11151. These vehicles will require rescue equipment and emergency lighting to be installed. Quotations were obtained for the equipment and low bidders are shown below. These vehicles are recommended and approved in accordance with the Fleet Management Policy by Ellis Gammons, Fleet Manager.

These service trucks will be used for transporting specialized equipment and personnel to emergency scenes. The Insurance Service Office and the National Fire Protection Association recognize it as a vital piece of firefighting equipment. The capability of these trucks greatly enhances our firefighting capabilities as well as contributes to lowering our ISO rating. The cost for these vehicles is \$93,234.78 including applicable sales tax. The cost of the rescue equipment and emergency lighting is \$13,577.91 including applicable sales tax. The total cost including applicable sales tax is \$106,812.69. It is recommended for awards to be made to the following vendors:

Burns Automotive	\$93,234.78
Slagle's Fire Equipment	496.08
Hansens Gold Leaf	1,075.00
West Chatham Warning Devices	8,735.67
Motorola, Inc.	3,271.16

Funds are appropriated in the following account number

1000-131500-5A6074 (2) Service Trucks - Replacements \$106,812.69

I concur with the above recommendation and further recommend that these purchases be placed on County Council's agenda for their next scheduled meeting on September 27, 2005.

copy: Larry Porth, Director of Finance/Assistant County Administrator
Bruce E. Rucker, Assistant Sheriff / Director of Public Safety & Homeland Security
Russell Rawl, Fire Service Coordinator
Ellis Gammons, Fleet Manager

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8385

(F) 785-2240

DATE: September 16, 2005

TO: Art Brooks
County Administrator

THROUGH: Sheila R. Fulmer, CPPB *Sheila R Fulmer*
Procurement Manager

FROM: Janice A. Bell, CPPB *Bell*
Procurement Officer

SUBJECT: Installation of Generator at South Congaree Fire Station
Public Safety/Fire Service
B06012-09/13/05B

Competitive sealed bids were solicited for the installation of a generator at the South Congaree Fire Station. We received two (2) bids (see attached bid tabulation). The bids were evaluated by Ray Disher, Building Services Manager and Janice Bell, Procurement Officer.

The existing generator was installed at the fire station in 1978. Building Services Manager has recommended replacement of this generator as maintenance costs are no longer cost effective.

We recommend award to DNB Electric Inc. as the low bidder meeting specifications. The total amount of this purchase is \$16,300.00 including applicable sales tax.

Funds are appropriated in the following account:

1000-131500-5A6078	(1) Emergency Generator	\$16,300.00
	South Congaree	

I concur with the above recommendation and further recommend that this bid be placed on County Council's agenda for their next scheduled meeting on September 27, 2005.

Attachment

copy: Larry Porth, Director of Finance/Assistant County Administrator
Bruce E. Rucker, Assistant Sheriff/Director of Public Safety & Homeland Security
Russell Rawl, Fire Service Coordinator
Ray Disher, Building Services Manager

COUNTY OF LEXINGTON

BID TABULATION SHEET

DATE: September 16, 2005

INSTALLATION OF GENERATOR AT SOUTH CONGAREE FIRE STATION

BIDDER	Installation of Generator
DNB Electric Inc	\$16,300.00
B & L Electric	\$18,769.00

Bids opened: September 13, 2005 @ 3:00 PM



Janice A. Bell, CPPB
Procurement Officer

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8385

(F) 785-2240

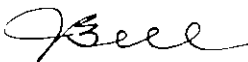
DATE: September 1, 2005

TO: Art Brooks
County Administrator

THROUGH: Sheila R. Fulmer, CPPB
Procurement Manager



FROM: Janice A. Bell, CPPB
Procurement Officer



SUBJECT: Motorola VHF Portable Radios and Accessories
Motorola Minitor IV Pagers and Accessories
Public Safety/Fire Service

We are in receipt of requisitions for the purchase of thirteen (13) Motorola VHF Portable Radios and Accessories and sixty-five (65) Motorola Minitor IV Pagers and Accessories for Public Safety/Fire Service. This equipment will be purchased directly from the manufacturer (Motorola) through the South Carolina State Contract #OIR2002.07. With the increased volume of emergency calls and the continued need for effective fire ground communications, Fire Service uses the available VHF frequencies. To accomplish this plan as well as maintain a backup to the 800 MHZ system, it is necessary to add VHF portable radios. This will provide for ten (10) VHF radios which are compatible with existing batteries, chargers and other accessories, and for the replacement of three (3) radios that have been damaged or destroyed during use. These radios will be replacement only and will result in no additional service charges for 800 MHZ service. The total cost of these radios including applicable tax is \$18,343.52.

The pagers are utilized to alert personnel of an emergency call. Each of the approximately 400 volunteers is issued a pager. Many of the existing units are approaching 20 years old and are in need of replacing. Additional pagers are required in order to meet an increase in personnel, as well as replace pagers that are lost, stolen, damaged, or no longer serviceable. The total cost of these pagers including applicable tax is \$30,737.51.

The total cost for the radios and pagers is \$49,081.03 including applicable tax.

Funds are appropriated in the following accounts:

1000-131500-5A6075	(13) Portable Radios	\$18,343.52
1000-131500-5A6071	(65) Monitor/Receiver - Replacement	\$30,737.51

I concur with the above recommendation and further recommend that this purchase be placed on County Council's agenda for their next scheduled meeting on September 27, 2005

copy: Larry Portli, Director of Finance / Assistant County Administrator
Bruce E. Rucker, Assistant Sheriff / Director of Public Safety & Homeland Security
Russell Rawl, Fire Service Coordinator

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

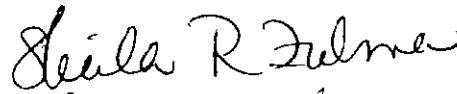
(O) 785-8319

(F) 785-2240

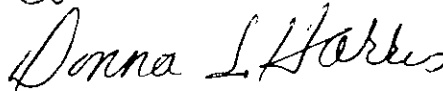
DATE: September 19, 2005

TO: Art Brooks
County Administrator

THROUGH: Sheila R. Fulmer, CPPB
Procurement Manager



FROM: Donna J. Harris, CPPB
Procurement Officer



SUBJECT: Thermal Imaging Cameras - Public Safety/State Homeland Security
BID NO. B06007-09/01/05H

Invitations for bids were advertised and solicited for the purchase of Thermal Imaging Cameras for Public Safety/State Homeland Security. This equipment will be used by fire service and law enforcement responders in Lexington County and municipalities to assist them in the performance of their duties during periods of limited visibility. The cameras will allow responders to see through smoke, fog and during night operations. Funding is provided through the State Homeland Security Grant Program and requires no matching funds from Lexington County. We received four (4) bids and four (4) no bids (see attached bid tab).

Bids were evaluated by Neil Ellis, Emergency Preparedness Coordinator; Chief Eddie Turner, Fire Service, and Donna J. Harris, Procurement Officer. It is our recommendation to award this contract to Wally's Fire and Safety Equipment, Incorporated as being the lowest responsive bidder. The total amount of this purchase is \$70,214.40 including applicable sales tax.

Funds are appropriated in account:

2476-131500-5A6195 - State Homeland Security - Thermal Imaging Cameras \$70,214.40

I concur with the above recommendation and further recommend that this bid be placed on County Council's agenda for their next scheduled meeting on September 27, 2005.

Attachment

copy: Larry Porth, Director of Finance / Assistant County Administrator
Chief Bruce E. Rucker, Assistant Sheriff/Director of Public Safety & Homeland Security
Major George Brothers, Homeland Security Coordinator
Neil Ellis, Emergency Preparedness Coordinator

COUNTY OF LEXINGTON

BID TABULATION SHEET

BID: B06007-09/01/05H

DATE: September 19, 2005


THERMAL IMAGING CAMERAS

BIDDER	6 Each Thermal Imaging Cameras	6 Each Retractable Straps	6 Each Rechargeable Battery	1 Each Truck Mount Charger	1 Each Transmitter 2-Channel	1 Each Mobile Link/Receive r 2-Channel	6 Each Pelican Cases	Taxes	Total
Wally's Fire and Safety Equipment	\$61,200.00	\$216.00	\$492.00	\$468.00	\$1,248.00	\$1,560.00	\$1,056.00	\$3,974.40	\$70,214.40
Commande, Incorporated	\$65,939.10	\$299.82	\$599.58	\$599.89	\$1,497.89	\$1,799.41	\$1,359.54	\$4,325.71	\$76,420.94
Allison Systems, Incorporated	\$65,505.90	\$303.18	\$630.48	\$554.17	\$1,464.17	\$3,463.26	\$1,285.02	\$4,392.37	\$77,598.55
Fisher Scientific Company, Incorporated	\$69,333.36	\$246.66	\$546.66	\$552.22	\$1,430.00	\$1,611.11	\$1,099.98	\$4,489.20	\$79,309.19

No bid response was received from Safeco, Incorporated and Charlotte Equipment Sales, Incorporated stating that they do not offer this product or service.

No bid response was received from Anderson Fire and Safety and Mine Safety Appliances Company stating that they are unable to meet specifications

Bids Opened: September 1, 2005 @ 3:00 p.m.



Donna J. Harris, CPPB
Procurement Officer

COUNTY OF LEXINGTON

Procurement Services


MEMORANDUM


(O) 785-8385

(F) 785-2240

DATE: September 13, 2005

TO: Art Brooks
County Administrator

THROUGH: Sheila R. Fulmer, CPPB 
Procurement Manager

FROM: Janice A. Bell, CPPB 
Procurement Officer

SUBJECT: Replace Vinyl Siding/Fascia Board on Roof Eaves at Annex - Sheriff's
Department/Building Services
B06010-09/12/05B

Competitive sealed bids were solicited for the Replacement of Vinyl Siding/Fascia board on the eaves of the roof at the Jail Annex for the Sheriff's Department. We received three (3) bids (see attached bid tabulation). The bids were evaluated by Ray Disher, Building Services Manager and Janice Bell, Procurement Officer.

Due to the replacement of the roof on the annex, it is imperative to replace the vinyl and fascia board on the eaves of the roof. The jail annex was built to house approximately 400 inmates. The current population is approximately 850. The increased population creates a larger volume of laundry to be washed and dried, as well as the cooking of meals. The high usage of equipment necessary to perform these tasks has created excessive moisture and humidity causing a more rapid deterioration/damage of the existing vinyl and fascia board in several areas.

We recommend award to Mid-America Contracting as the low bidder meeting specifications. The total amount to replace the vinyl is \$39,892.00 including applicable sales tax. The bid price for fascia board is \$3.95 per square foot and the footage cannot be determined until existing vinyl is removed. The appropriated budget for this project is \$200,000.00.

Funds are appropriated in account: 1000-151300-5A6116 Jail Annex Roof Replacement

I concur with the above recommendation and further recommend that this bid be placed on County Council's agenda for their next scheduled meeting on September 27, 2005.

Attachment

copy: Larry Porth, Director of Finance/Assistant County Administrator
James Metts, Sheriff
Bruce E. Rucker, Assistant Sheriff/Director of Public Safety & Homeland Security
Ray Disher, Building Services Manager

COUNTY OF LEXINGTON


BID TABULATION SHEET

DATE: September 13, 2005

REPLACE VINYL SIDING AT ANNEX
B06010-09/12/05B

BIDDER	Vinyl Siding	Fascia Board
Mid-America Contracting	\$39,892.00	\$3.95/sq. ft.
First Class Construction	\$47,145.00	No Bid
Lexington Vinyl Siding	\$68,940.00	\$3.00/sq. ft.

Bid opened: September 12, 2005


Janice A. Bell, CPPB
Procurement Officer

COUNTY OF LEXINGTON

Procurement Services

MEMORANDUM

(O) 785-8319

(F) 785-2240

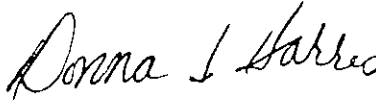
DATE: September 13, 2005

TO: Art Brooks
County Administrator

THROUGH: Sheila R. Fulmer, CPPB
Procurement Manager



FROM: Donna J. Harris, CPPB
Procurement Officer



SUBJECT: Shingle Replacement
Sheriff's Annex - Sheriff's Department/Building Services
BID NO. B06008-09/08/05H

Invitations for bids were advertised and solicited from qualified contractors for Shingle Replacement for the Jail Annex at the Sheriff's Department. Following a thorough inspection of the roof, it has been determined the shingles have reached their life expectancy and require replacement. The project will consist of removal and replacement of shingles, as well as any wood surfaces which may have become damaged. We received bids from two (2) contractors (see attached bid tab).

Bids were evaluated by Ray Disher, Building Services Manager; Colonel Allan Pavvel, Sheriff's Department; and Donna J. Harris, Procurement Officer. It is our recommendation to award this contract to Aqua Seal Manufacturing and Roofing, Incorporated as being the lowest responsive bidder. The total amount of the shingle replacement is \$88,673.00 including applicable sales tax. The bid price for deck replacement is \$4.00 per square foot, and the total cost cannot be determined until the existing shingles are removed. The appropriated budget for this project is \$200,000.00.

Funds are appropriated in account: 1000-151300-5A6116 - Jail Annex Roof Replacement

I concur with the above recommendation and further recommend that this bid be placed on County Council's agenda for their next scheduled meeting on September 27, 2005.

Attachment

copy Larry Porth, Director of Finance / Assistant County Administrator
James Metts, Sheriff
Bruce E. Rucker, Assistant Sheriff/Director of Public Safety & Homeland Security
Colonel Allan Pavvel, Sheriff's Department
Ray Disher, Building Services Manager

COUNTY OF LEXINGTON

BID TABULATION SHEET

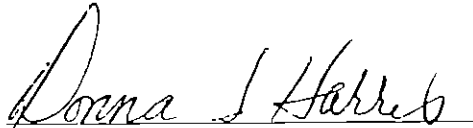
BID: B06008-09/08/05H

DATE: September 13, 2005

SHINGLE REPLACEMENT SHERIFF'S ANNEX

BIDDER	CONTRACTOR'S LICENSE NUMBER	DECK REPLACEMENT COST ON AN AS NEEDED BASIS	TOTAL BID EXCLUDING DECK REPLACEMENT COST
Aqua Seal Manufacturing and Roofing, Incorporated	G97868	\$4.00 SF	\$88,673 00
Murton Roofing of South Carolina, Incorporated	G11379	\$6 90 SF	\$127,777 00

Bids Opened: September 9, 2005 @ 3:00 p.m.



Donna J. Harris, CPPB
Procurement Officer

MEMORANDUM

September 27, 2005

TO: County Council

FROM: Diana Burnett

RE: November & December 2005 Schedule

As the holidays are fast approaching, Council may want to review the scheduled meeting dates for the months of November and December. At present Council is scheduled to meet November 8 and 22 and December 13 and 27. However, the County is closed on the 27th.

If Council wishes to make revisions to the November and December meeting schedule, it would be helpful to make a decision as soon as possible so that staff can plan accordingly. Of course, the Chairman can always call a special meeting if needed.

Thank you.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
November 2005						
		1	2	3	4	5
6	7	8 Council meeting	9	10	11	12
13	14	15	16	17	18	19
20	21	22 Council meeting	23	24 Thanksgiving County Closed	25 County Closed	26
27	28	29	30			

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
December 2005						
				1	2	3
4	5	6	7	8	9	10
11	12	13 Council meeting	14	15	16	17
18	19	20	21	22	23	24
25 Christmas Day	26 County Closed	27 Council mtg. County Closed	28	29	30	31

AN ORDINANCE TO AMEND THE AGREEMENT FOR DEVELOPMENT OF JOINT COUNTY INDUSTRIAL PARK DATED DECEMBER 11, 1995 BY AND BETWEEN LEXINGTON COUNTY, SOUTH CAROLINA AND CALHOUN COUNTY, SOUTH CAROLINA, PROVIDING FOR THE DEVELOPMENT OF A JOINTLY OWNED AND OPERATED INDUSTRIAL/BUSINESS PARK SO AS TO INCLUDE ADDITIONAL PROPERTY IN THAT PORTION OF THE JOINT COUNTY INDUSTRIAL PARK GEOGRAPHICALLY LOCATED IN CALHOUN COUNTY, SOUTH CAROLINA, AND OTHER MATTERS RELATING THERETO.

WHEREAS, Lexington County, South Carolina (the "County") and Calhoun County, South Carolina (jointly the "Counties") are authorized under Article VIII, Section 13 of the South Carolina Constitution to jointly develop an industrial or business park within the geographical boundaries of one or more of the Counties; and

WHEREAS, in order to promote the economic welfare of the citizens of the County by providing employment and other benefits to the citizens of the Counties, the County entered into an agreement with Calhoun County to develop jointly an industrial and business park (the "Park") as provided by Article VIII, Section 13 of the South Carolina Constitution and in accordance with Section 4-1-170 of the Code of Laws of South Carolina, 1976, as amended (the "Act").

WHEREAS, the Counties executed an Agreement for Development for a Joint County Industrial Park on December 11, 1995, which was subsequently amended (as so amended, the "Agreement") which they now wish to further amend so as to add property geographically located in Calhoun County.

NOW, THEREFORE, BE IT ORDAINED BY THE LEXINGTON COUNTY COUNCIL:

Section 1. Lexington County is hereby authorized to amend the Agreement so as to expand the Park premises located within Calhoun County. Attached hereto as Exhibit A is the land description of the expansion of the Park premises within Calhoun County to be added to the Agreement. The form, terms and provisions of the Agreement (as amended by the addition of Exhibit A) as filed with the Clerk of County Council be and they are hereby approved, and all of the terms, provisions and conditions thereof are hereby incorporated herein by reference as if the Agreement were set out in this Ordinance in its entirety.

Section 2. This Ordinance shall be effective after third and final reading and publication.

LEXINGTON COUNTY, SOUTH CAROLINA

By. _____
Chairman, County Council of
Lexington County, South Carolina

ATTEST:

Clerk to County Council
Lexington County, South Carolina

First Reading: _____
Second Reading: _____
Third Reading: _____
Public Hearing: _____

EXHIBIT A

PROPERTY DESCRIPTION

All that certain piece, parcel or tract of land, with the improvements thereon, if any, situate, lying and being near St. Matthews, County of Calhoun, State of South Carolina, containing 14.63 acres, more or less, and being shown and delineated on a plat prepared by Emergi-Lite, Inc., by Donald J. Smith, Jr., Inc. dated May 19, 1997, revised May 22, 1998 and recorded in the Office of the Clerk of Court for Calhoun County in Plat Book 3873-A. Reference being made to such plat which is incorporated herein by reference for a more accurate and complete description; all measurements being a little more or less.

TMS: 117-00-02-033

Derivation: Being the same property conveyed to Sandy Bay Properties, LLC, a South Carolina Limited Liability Company from Thomas & Betts Corporation, a Tennessee Corporation filed on October 9, 2003 in Book 179, Page 195. Also conveyed to Sandy Bay Properties, LLC, a South Carolina Limited Liability Company by Quit Claim Deed from Thomas & Betts Corporation, a Tennessee Corporation filed on October 9, 2003 in Book 179 at Page 207.

STATE OF SOUTH CAROLINA)
)
COUNTY OF LEXINGTON)
)
COUNTY OF CALHOUN)

AMENDMENT TO AGREEMENT FOR
DEVELOPMENT OF JOINT COUNTY
INDUSTRIAL PARK

THIS AMENDMENT TO THE AGREEMENT FOR DEVELOPMENT OF A JOINT COUNTY INDUSTRIAL PARK DATED DECEMBER 11, 1995 (THE "AGREEMENT") is entered into as of this ____ day of _____, 2005, between LEXINGTON COUNTY, SOUTH CAROLINA and CALHOUN COUNTY, SOUTH CAROLINA.

1. By authority of ordinance enacted by the County Council of Lexington County on _____, 2005, and ordinance no. _____ enacted by the County Council of Calhoun County on _____, 2005, for value received, Lexington County and Calhoun County hereby agree as follows:

The site more particularly described on Exhibit A attached hereto is hereby added to the Agreement and is therefore located in a Multi-County Business/Industrial Park or Industrial Development Park as provided in S.C. Code §4-1-170.

2. All other terms and provisions of said Agreement shall remain in full force and effect.

WITNESS our hands and seals as of the day first above written.

LEXINGTON COUNTY,
SOUTH CAROLINA

By: _____
Chairman, Lexington County Council

ATTEST:

Clerk, Lexington County Council

CALHOUN COUNTY,
SOUTH CAROLINA

By: _____
Chairman, Calhoun County Council

ATTEST:

Clerk, Calhoun County Council

EXHIBIT A

PROPERTY DESCRIPTION

All that certain piece, parcel or tract of land, with the improvements thereon, if any, situate, lying and being near St. Matthews, County of Calhoun, State of South Carolina, containing 14.63 acres, more or less, and being shown and delineated on a plat prepared by Emergi-Lite, Inc., by Donald J. Smith, Jr., Inc. dated May 19, 1997, revised May 22, 1998 and recorded in the Office of the Clerk of Court for Calhoun County in Plat Book 3873-A. Reference being made to such plat which is incorporated herein by reference for a more accurate and complete description; all measurements being a little more or less

TMS: 117-00-02-033

Derivation: Being the same property conveyed to Sandy Bay Properties, LLC, a South Carolina Limited Liability Company from Thomas & Betts Corporation, a Tennessee Corporation filed on October 9, 2003 in Book 179, Page 195. Also conveyed to Sandy Bay Properties, LLC, a South Carolina Limited Liability Company by Quit Claim Deed from Thomas & Betts Corporation, a Tennessee Corporation filed on October 9, 2003 in Book 179 at Page 207.

AN ORDINANCE

AUTHORIZING AN AMENDMENT TO A LEASE AGREEMENT DATED AS OF DECEMBER 1, 1996 BETWEEN LEXINGTON COUNTY, SOUTH CAROLINA (THE "COUNTY") AND MICHELIN NORTH AMERICA, INC. (THE "COMPANY") WITH REGARD TO THE INVESTMENT TO BE MADE BY THE COMPANY IN CONNECTION WITH THE FEE IN LIEU OF TAX PAYMENTS AND INFRASTRUCTURE TAX CREDITS DESCRIBED THEREIN; AND OTHER MATTERS RELATING TO THE FOREGOING.

WHEREAS, Lexington County, South Carolina (the "County") acting by and through the Lexington County Council (the "County Council"), is authorized by Title 4, Chapters 1 and 29, Code of Laws of South Carolina, 1976, as amended (collectively, the "Act"), to acquire, own, lease, and dispose of properties through which the industrial and commercial development of the State of South Carolina will be promoted and trade and commerce developed by inducing manufacturing and commercial enterprises to locate and/or expand existing facilities in the State of South Carolina, and thus utilize and employ the manpower and natural resources of the State of South Carolina; and

WHEREAS, the County is authorized by Section 4-1-175 and 4-29-68 of the Act to provide an infrastructure tax credit (the "Infrastructure Credit"), secured by and based solely on revenues of the County from payments in lieu of taxes pursuant to Section 4-1-170 and Section 4-29-60 or Section 4-29-67 of the Act, for the purpose of defraying a portion of the cost of designing, acquiring, constructing, improving or expanding the infrastructure serving the County in order to enhance the economic development of the County; and

WHEREAS, pursuant to an Ordinance dated December 19, 1996, (the "1996 Ordinance"), the County Council authorized the issuance of Lexington County, South Carolina Industrial Revenue Bonds in an aggregate principal amount not exceeding \$450,000,000 in one

or more series through December 31, 2004, or through December 31, 2006, if an extension of time in which to complete the Project was granted by the County pursuant to Section 4-29-67 of Title 4, Chapter 29, Code of Laws of South Carolina, 1976, as amended (the "Bond Act") (the "1996 Bonds") for the purpose of financing the costs of the acquisition, construction, installation, expansion, improvement, design, and engineering, in phases, of additional or improved machinery and equipment, buildings, improvements or fixtures (the "Project") which constitute expansions or improvements of the manufacturing facilities (the "Facilities") owned by Michelin North America, Inc. and its affiliates (collectively, the "Company") and located in the County; and

WHEREAS, pursuant to a Lease Agreement dated December 1, 1996 by and between the County and the Company (the "Lease Agreement"), the Company leases the Project from the County and in connection therewith pays a fee in lieu of ad valorem taxes on the value thereof in accordance with the provisions of the Lease Agreement.

WHEREAS, pursuant to an Addendum to Lease Agreement by and between the County and the Company and Lexington Real Estate Holding Corporation, an affiliate corporation of the Company ("LREHC") dated on or about November 18, 1998, LREHC was identified as an investor affiliate qualifying under Section 4-29-67(B)(4)(b) of the Bond Act;

WHEREAS, pursuant to an Ordinance dated October 23, 2001, the County Council approved an Amendment to Lease Agreement to authorized the issuance of additional Lexington County, South Carolina Industrial Revenue Bonds in an aggregate principal amount not exceeding \$100,000,000 in one or more series through December 31, 2011 (the "2001 Bonds") for the purpose of providing additional financing for the costs of an expansion of the Project to include a new facility in the County located adjacent to its existing facility (the "New Facility")

(collectively, the “Expanded Project”), authorizing an extension of the time in which to complete the Project and Expanded Project to the fullest extent permitted by law and authorized the granting of an infrastructure tax credit as more fully set forth therein all as an incentive to the Company to make capital investments in the County and create jobs and continue to employ persons in the County all in accordance with and as contemplated by the provisions of the South Carolina Code of Laws of 1976, as amended; and

WHEREAS, the Company and the County have agreed to amend the investment criteria which entitles the Company to qualify for certain of the fee in lieu of tax benefits and infrastructure tax credits provided in the Lease Agreement and the Amendment to Lease Agreement; and

WHEREAS, the County Council has caused the following documents to be prepared and presented to this meeting which the County either proposes to execute and deliver or which constitute a part of this transaction (a) a form of an Amendment to Lease Agreement containing an amendment to the Lease; and (b) such other documents and certificates as may be deemed necessary or desirable to consummate the transactions contemplated by the foregoing documents; and

WHEREAS, it appears that the foregoing documents are in appropriate form and substance for execution by the County.

NOW, THEREFORE, BE IT ORDAINED BY THE LEXINGTON COUNTY COUNCIL IN MEETING DULY ASSEMBLED:

ARTICLE I

FINDINGS

Section 1.1. Pursuant to the Act and particularly Section 4-29-60 thereof, the Lexington County Council has made and hereby makes the following findings:

(a) By providing improved or expanded manufacturing, production, distribution and research and development capabilities which will enhance the productivity and general economic viability of the Company' s Facilities in the County, the Project and the Expanded Project subserve the purposes of the Act by promoting industrial development in the County and in the State of South Carolina.

(b) Each of the Project and the Expanded Project constitute a "project" within the meaning of the Act

(c) Inasmuch as the Project and Expanded Project, are providing and upon completion are expected to provide benefits to the general public welfare of the County by providing employment and other public benefits not otherwise provided locally.

(d) Neither the Project nor the Expanded Project, nor the issuance of the 1996 Bonds or the 2001 Bonds (as defined in the Lease Agreement) to finance the cost of the Project and the Expanded Project will give rise to a pecuniary liability of the County or to any charge against its general credit or taxing power.

(e) Due to the nature and potential benefits of the Project and Expanded Project, it is appropriate for the County to approve appropriate amendments to the provisions in the Lease permitted by the Code.

ARTICLE II

AMENDMENT TO LEASE AGREEMENT

Section 2.1. Authorization. The County Council hereby authorizes the execution and delivery of the Amendment to Lease Agreement which contains an amendment to the Lease Agreement modifying the investment criteria described in the Lease Agreement which allow the

Company to qualify for certain fee in lieu of tax benefits and infrastructure tax credits, the form of such Amendment to Lease Agreement being attached hereto as Exhibit B.

ARTICLE III

EXECUTION AND DELIVERY OF DOCUMENTS

Section 3.1. Documents. The Lexington County Council hereby authorizes and directs the Chairman of County Council and the Clerk to County Council to execute and deliver the following documents, together with such changes from the form of such documents presented at this meeting as such executing officer may approve, their execution and delivery of such documents to constitute conclusive evidence of their approval of any such changes or revisions:

- (a) The Amendment to Lease Agreement; and
- (b) Such other documents and certificates as may be deemed necessary or desirable to consummate the transactions contemplated by the foregoing documents.

Each and every covenant made herein and in the foregoing documents is predicated upon the condition that any obligation for the payment of money incurred by the County shall not create a pecuniary liability of the County or a charge upon its general credit or against its taxing powers, but shall be payable solely from revenues and other amounts derived from the Project and the Expanded Project.

Section 3.2. Instruments of Further Assurance. The County covenants that it will do, execute, acknowledge, and deliver or cause to be done, executed, acknowledged, and delivered, such further acts, instruments, and things as may be necessary or desirable to accomplish the matters described in the Amendment to Lease Agreement.

ARTICLE IV

MISCELLANEOUS

Section 4.1 Severability The provisions of this Bond Ordinance are hereby declared to be severable, and if any section, phrase, or provision shall for any reason be declared by a court of competent jurisdiction to be invalid or unenforceable, such declaration shall not affect the validity of the remainder of the sections, phrases and provisions hereof.

Section 4.2. Transferral of Lexington County's Rights and Duties. In the event of the dissolution of the County or the consolidation of any part of the County with any other political subdivision or the transfer of any rights of the County to any other such political subdivision, all of the covenants, stipulations, promises, and agreements of this Bond Ordinance shall bind and inure to the benefit of the successors of the County from time to time and any entity, officer, board, commission, agency, or instrumentality to whom or to which any power or duty of the County shall have been transferred.

Section 4.3. Effective Date of Ordinance. This Ordinance shall take effect immediately upon third reading of the County Council and shall supersede any inconsistent ordinances.

First reading:

Second reading:

Public hearing:

Third reading:

STATE OF SOUTH CAROLINA)

COUNTY OF LEXINGTON)

I, the undersigned Clerk to Lexington County Council, State and County aforesaid, do hereby certify as follows:

1. The foregoing constitutes a true, correct, and verbatim copy of an Ordinance adopted upon third reading by the Lexington County Council at a duly called and properly conducted meeting on _____, 2005.

2. The reading schedule shown on the attached Ordinance is true and correct; all three readings were accomplished at duly called, properly advertised, and properly conducted meetings of the County Council; and the public hearing was properly advertised and properly conducted.

3. The original of the attached Ordinance is duly entered in the permanent records of minutes of meetings of the Lexington County Council which are in my custody as Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of Lexington County on this ____ day of _____, 2005.

Diana W. Burnett, Clerk
Lexington County Council

[SEAL]

EXHIBIT A

(FORM OF AMENDMENT TO LEASE AGREEMENT)

Lexington County, South Carolina

AMENDMENT TO LEASE AGREEMENT

THIS AMENDMENT TO LEASE AGREEMENT (this "Amendment") is made and entered into as of this ____ day of _____, 2005 by and among LEXINGTON COUNTY, SOUTH CAROLINA (the "County"), a body politic and corporate and a political subdivision of the State of South Carolina, acting by and through the Lexington County Council (the "County Council") as the governing body of the County; and MICHELIN NORTH AMERICA, INC., a New York corporation duly qualified to transact business in the State of South Carolina.

WITNESSETH:

Recitals.

Pursuant to a Bond Ordinance dated December 19, 1996 (the "1996 Bond Ordinance"), the Lexington County Council (the "County Council") authorized the issuance of Lexington County, South Carolina Industrial Revenue Bonds in an aggregate principal amount not exceeding \$450,000,000 in one or more series through December 31, 2004, or through December 31, 2006, if an extension of time in which to complete the Project is granted by the County pursuant to Section 4-29-67 of Title 4, Chapter 29, Code of Laws of South Carolina, 1976, as amended (the "Bond Act") (the "1996 Bonds") for the purpose of financing the costs of the acquisition, construction, installation, expansion, improvement, design, and engineering of certain real properties and improvements to real properties owned by Michelin North America, Inc. and its affiliates (the "Company") located within the County and of the machinery, equipment, fixtures, and furnishings to be installed therein relating to the production and sale of tires and other legal activities of the Company (the "Project").

Pursuant to a Bond Ordinance adopted October 23, 2001 (the "2001 Bond Ordinance"), the County Council authorized the issuance of Lexington County, South Carolina Industrial Revenue Bonds in an aggregate principal amount not exceeding \$100,000,000 in one or more series (the "2001 Bonds") for the purpose of financing the costs related to an expansion of the Project to include additional properties, improvements, machinery, and other personal property which would enhance the Company's manufacturing processes and their flexibility and which was to be located at the Company's existing facility in the County and at a new facility in the County located adjacent thereto (the "New Facility") (collectively, the "Expanded Project"), all of which was intended to be located within the multi-county industrial park developed by the County with Calhoun County, South Carolina (the "Park").

Pursuant to the terms of the Lease Agreement (the "Lease Agreement") dated as of December 1, 1996, between the County and the Company, the Company agrees, in connection with each requisition from the "Construction Fund," to deliver to the "Escrow Agent" such "Transfer Documents" as may be necessary to more specifically identify each "Phase" of the Project (such terms being defined in the Lease Agreement). Pursuant to the terms of the Trust Indenture (the "Trust Indenture") dated as of December 1, 1996, by and among the County, Wachovia Bank, National Association (f/k/a First Union National Bank), as Trustee (the "Trustee"), and the Company, each such Phase is recognized as being included within the description of the Project contained in the Lease Agreement, said Lease Agreement having been assigned by the County to the Trustee pursuant to the terms of the Trust Indenture.

Pursuant to an Addendum to Lease Agreement by and between the County and the Company and Lexington Real Estate Holding Corporation, an affiliate corporation of Company

("LREHC") dated on or about November 18, 1998, LREHC was identified as an investor affiliate qualifying under Section 4-29-67(B)(4)(b) of the Bond Act.

Pursuant to the 2001 Bond Ordinance, the County and the Company entered into an Amendment to Lease to provide the Company with various incentives to proceed with the Expanded Project and to afford the Company the benefits permitted under Section 58 of Act 89 of 2001 by permitting the Company a ten (10) year period in which to meet the minimum investment level required by Section 4-29-67(D)(4) of the Bond Act and a fifteen (15) year period in which to complete the Project.

Pursuant to a an Ordinance dated _____, 2005 (the "2005 Ordinance"), the County Council authorized the execution and delivery by the County of this Amendment. In view of the considerations provided by the County, the Company desires to enter into this Amendment with the County.

NOW, THEREFORE, FOR AND IN CONSIDERATION of the premises, the parties hereto agree as follows:

1. First Amendment to Lease Agreement. In the definitional section the following definition shall be inserted:

Investment Criteria

"Investment Criteria" shall mean that the Company and its affiliates in the County shall have invested capital in the County as part of the Project and the Expanded Project and in connection with the Project and the Expanded Project created the number of jobs satisfying one of the criteria specified below:

Capital	New Jobs
\$300,000,000	300
350,000,000	250
400,000,000	200
425,000,000	175
450,000,000	150
475,000,000	125
500,000,000	100

2. Second Amendment to Lease Agreement. Section 4.7(d) of the Lease Agreement is hereby amended by deleting the existing provisions thereof and substituting therefor the following new provisions:

(d) Failure to Meet Investment Criteria**Error! Bookmark not defined.**

(1) The Company shall furnish to the County on an annual basis through December 31, 2011 a report on the total amount invested by the Company with respect to the Project through such period.

(2) In the event that the cost of the Project and the Expanded Project and the jobs created during the term of the Project and Expanded Project have not satisfied the Investment Criteria by December 31, 2011, but satisfied one of the requirements under Section 4-29-67(D)(4) of the Bond Act, as amended from time to time, the Company shall pay to the County together with its Fee

Payment due not later than January 15, 2013, a premium equal to fifty (50%) percent of the Fee Payments that would have been made by the Company under this Section 4.7 (disregarding the amount of the Infrastructure Credit taken by the Company under Section 4.7(g) against such Fee Payments) with respect to property placed in service at any time on or before December 31, 2011 as part of the Project or Expanded Project and subject to a four (4%) percent assessment ratio and shall continue to pay a fifty (50%) percent penalty each year with respect to the Fee Payments on such property for so long as the Company makes payments thereon under Section 4.7(a) of this Lease Agreement.

(3) In the event that the Investment Criteria have not been satisfied by December 31, 2011, and none of the requirements under Section 4-29-67(D)(4) of the Bond Act, as amended from time to time have been satisfied, but the cost of the Project exceeded \$45,000,000 by December 31, 2001, beginning with the payment due for 2011, the payment in lieu of ad valorem taxes to be paid to the County by the Company with regard to property which becomes a part of the Project or Expanded Project on or before December 31, 2003 shall become equal to the amount that would be due under Section 4-29-67(D)(2) of the Bond Act using an assessment ratio of six (6%) percent, a millage rate equal to the rate used for the purposes of making the calculation in Section 4.7(a)(iii) hereof, and with regard to each Phase a Term of twenty (20) years from the date such Phase was first placed in service. Any property placed in service after December 31, 2003 shall become subject to ad valorem taxes as required by Section 4-29-60 of the

Bond Act. In addition to the foregoing, the Company shall pay to the County an amount equal to the excess, if any, of (i) the total amount of payments in lieu of ad valorem taxes that would have been payable to the County with respect to the Project or the Expanded Project for tax years through and including 2004 under the provisions of Section 4-29-67(D)(2) of the Bond Act using an assessment ratio of six (6%) percent, a millage rate equal to the rate used for the purposes of making the calculation in Section 4.7(a)(iii) hereof, and with regard to each Phase a Term of twenty (20) years from the date such Phase was first placed in service (but as to property placed in service after December 31, 2003 shall become subject to ad valorem taxes as required by Section 4-29-60 of the Bond Act) over (ii) the total amount of payments in lieu of ad valorem taxes made by the Company with respect to the Project or the Expanded Project for tax years through and including 2004. Any amounts determined to be owing pursuant to the foregoing sentence shall be subject to interest as provided in Section 4-29-67 of the Bond Act;

3. Third Amendment to Lease Agreement. Section 4.7(g)(v) of the Lease Agreement is hereby amended by deleting the existing provisions and substituting therefore the following:

(v) In the event that, by December 31, 2011, the Company and/or its affiliates in the County have not satisfied the Investment Criteria, then the Company shall not be entitled to the Infrastructure Credit set forth above. In addition, to the extent that the Company has taken Infrastructure Credit against Fee Payments prior to December 31, 2011, at the same time that the Company's Fee Payment for the year ending December 31, 2011 is paid or is due, whichever occurs first, the

Company shall pay to the County the full amount of all Infrastructure Credits previously taken.

4. Fourth Amendment to Lease Agreement. Section 4.7(h) of the Lease Agreement shall be deleted in its entirety.

5. Acknowledgement. The parties acknowledge that Lexington Real Estate Holding Corporation (LREHC), which has previously been named as an investor affiliate, has been merged into and survived by the Company; and therefore the Company has assumed all of the obligations of LREHC and succeeded to the rights of LREHC including those related to this Project and the Expanded Project.

6. Effect on Lease Agreement. Except as amended hereby, the parties agree that the Lease Agreement shall continue in full force and binding effect upon the parties hereto.

IN WITNESS WHEREOF, the County, acting by and through the County Council, has caused this Amendment to Lease Agreement to be executed in its name and behalf by the duly authorized officers of Lexington County and to be attested by the Clerk to County Council; and the Company has caused this Amendment to Lease Agreement to be executed by its duly authorized officer(s), all as of the day and year first above written.

WITNESSES:

LEXINGTON COUNTY,
SOUTH CAROLINA

By: _____
_____, Chairman
Lexington County Council

Attest:

Clerk to County Council

MICHELIN NORTH AMERICA, INC.

By: _____
Its: _____

STATE OF SOUTH CAROLINA)

PROBATE

COUNTY OF LEXINGTON)

PERSONALLY appeared the undersigned witness and made oath that (s)he saw the within named Lexington County, South Carolina, by its duly authorized officers, seal and as its act and deed, deliver the within written Amendment to Lease Agreement (County Bond) and that (s)he, with the other witness subscribed above, witnessed the execution thereof.

SWORN to before me this
_____ day of _____, 2005

_____(SEAL)

Notary Public for South Carolina

My commission expires:

STATE OF _____)

PROBATE

COUNTY OF _____)

PERSONALLY appeared the undersigned witness and made oath that (s)he saw the within named Michelin North America, Inc. by its duly authorized officer, sign, seal and as its act and deed, deliver the within written Amendment to Lease Agreement (County Bond) and that (s)he, with the other witness subscribed above, witnessed the execution thereof.

SWORN to before me this
_____ day of _____, 2005

_____(SEAL)

Notary Public for _____

My commission expires:

Chapter 5. Signs

25.00 Intent and Purpose

The purpose of this Chapter is intended to accomplish the following objectives

- a To encourage a high standard for signs in order that they should be appropriate to and enhance the aesthetic appearance and attractiveness of the community and, further, create an aesthenc environment that contributes to the ability of the community to attract sources of economic development and growth.*
- b To ensure that signs are designed, constructed, installed, and maintained so that public safety and traffic safety are not compromised*
- c To minimize the distractions and the obstructing-of-view that contributes to traffic hazards and endanger public safety*
- d To allow for adequate and effective signs for communicating identification and promoting business.*
- e In the interest of public safety, the visibility of street name signs, street address information, and address numbers for use by emergency responders (fire, police and medical) is of preeminent importance and should be considered during the placement of signs covered under this Section.*

256.00 Definitions

Advertising Signs. Any signs, pictorial or otherwise, regardless of size or shape, which direct attention to a business, commodity, attraction, profession, service, or entertainment conducted, sold, offered, manufactured, existing, or provided at a location other than on the premises where the sign is located or to which it is affixed. Such signs are sometimes called off-premise signs, and include, but are not limited to, those signs commonly referred to as outdoor advertising signs, billboards, or poster boards

Audible Signs. Signs which emit any sound capable of being detected on a public road or adjoining property

Awning Signs. See Marquee Signs definition

Banners. Signs intended to be hung either with or without a frame, possessing characters, letters, illustrations, or ornamentations applied to plastic or fabric of any kind, excluding flags and emblems of political, professional, religious, education, governmental, or corporate organizations

Business Signs. Any signs, pictorial or otherwise, regardless of size or shape, which direct attention to a business, commodity, attraction, profession, service, or entertainment conducted, sold, offered, manufactured, existing, or provided on the premises where the sign is located or to which it is affixed. Such sign shall also include such representations painted on or otherwise affixed to any exterior portion of a business. Business signs are sometimes called on-premise signs.

Canopy Signs. Signs that are erected on a separate, freestanding roof-like covering

Changeable Copy Signs. Signs on which message copy is changed manually through the utilization of attachable letters, numbers, symbols, and other similar characters or changeable pictorial panels. Poster panels and printed boards are not considered changeable copy signs

Commercial Center. A commercial complex consisting of more than one retail, commercial, or office establishment grouped together, usually developed under one ownership or management, and generally sharing parking areas and vehicular entrances and exits

Contractors' Signs Signs displaying the names of the builders, contractors, architects, engineers, craftsmen, artisans, and similar information erected upon the premises of any work, construction, major repairs, or improvements.

Development / Project Signs Signs announcing a planned residential, office, business, industrial or mixed use development.

Directory Signs Any signs listing only the names, uses, or locations of more than one business, activity, firm, professional office, or tenant within a building, group of buildings, or commercial center.

Display Area That area of a sign including the entire area within a regular geometric shape (square, rectangle, triangle, circle, or semicircle) or combination of regular geometric shapes enclosing all of the elements of informational or representational matter displayed, including blank masking or any surface shape intended to convey ideas, information, or meaning. The display area shall also include any painted portion, whether on a sign or building edifice, that serves as a part or all of a logo or other advertisement for any business product or activity. Frames or structural members not bearing informational or representational matter shall not be included in calculating the display area. For double-faced signs that are relatively parallel (forming an angle of 45 degrees or less) and supported by the same structure, the display area of the sign equals the total display area of the largest face. The display area of other multiple-faced signs equals the total display area of all faces.

Driveway Signs Signs indicating the direction of travel for driveway ingress and/or egress.

Electronic Message Board An electrical or electronic sign using a pattern of lights to form various words or graphics which is capable of changing copy continuously.

Flag A piece of durable fabric of distinctive design that is used as a symbol or decorative feature. Pennants do not qualify under this definition.

Flashing Signs Signs that use a blinking, intermittent or flashing light source

Freestanding Signs Signs that are permanently secured in the ground and that are not attached to, supported by, or erected on a building or other structure having a principal function other than support of such signs

Illuminated Signs Any Signs either internally or externally which is directly or indirectly lighted by an artificial light source.

Incidental Signs Signs used in conjunction with equipment or other functional elements of a use or operation. These shall include, but not be limited to drive through window menu boards, and signs on automatic teller machines, gas pumps, vending machines, or newspaper delivery boxes

Inflatable Signs Any signs that are either expanded to their full dimensions or supported by gases contained within the sign parts, at a pressure greater than atmospheric pressure. Untethered airships are not considered to be inflatable signs. Also see Portable or Moveable Signs.

Internally Illuminated Sign Any sign which has light transmitted outward through its face or any part thereof.

Marquee Signs Any signs erected, stenciled, engraved on, attached to, or suspended from a marquee. A marquee is defined as any hood, awning (with or without stanchions), or roof-like structure of permanent construction, which is supported from a wall of a building and projects beyond the building wall, and is generally designed and constructed to provide protection against the weather.

Moving Message Board An electrical or electronic sign using a pattern of lights to form various words or pictures which is capable of changing copy continuously.

Moving Signs. Any sign that has movement caused by means other than the movement of air over the face of the sign or into the body of the sign (see windblown signs).

Off-Premise Signs Any signs, pictorial or otherwise, regardless of size or shape, which direct attention to a business, commodity, attraction, profession, service, or entertainment conducted, sold, offered, or manufactured, existing, or provided at a location other than on the premises where the sign is located or to which it is affixed. Such signs include, but are not limited to, signs commonly referred to as outdoor advertising signs, billboards, or poster boards

On-Premise Signs Any signs, pictorial or otherwise, regardless of size or shape, which direct attention to a business, commodity, attraction, profession, service, or entertainment conducted, sold, offered, or manufactured, existing or provided on the premises where the sign is located or to which it is affixed. Such signs shall also include such representations painted on or otherwise affixed to any exterior portion of a business. See Business Signs.

Pennants. Any lightweight plastic, fabric, or other material, regardless of shape, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in a series, designed to move with the wind

Political Campaign Signs. Signs announcing candidates seeking public office or relating to any election or public referendum.

Portable or Movable Signs. Any signs, which rest upon, but are not attached to the ground, a structure, a frame, building, or other surface. Such signs include, but are not limited to, the following: trailer signs, signs mounted to and/or displayed from a parked vehicle (see Section 26 40k for allowable vehicular signs), sandwich board signs, sidewalk or curb signs, and inflatable signs

Projecting Signs. Any signs which are erected on a building wall or structure and extend beyond the wall of the building more than twelve inches

Projection Signs. Any signs or graphics that are projected on a wall, building, street, screen, or natural backdrop, originating from any projection device which would include, but not be limited to, laser lights, slide or video projections, and any other computer or electronic device.

Public and Institutional Sign. A sign relating to uses of a civic, charitable, fraternal, cultural, religious, educational, institutional, or governmental nature. Such signs shall conform to the requirements for business signs as described in Section 25.50.

Public Information Signs. Signs that display information pertinent to the safety, legal responsibilities, or the well being of the general public to include, but not be limited to, warning, no trespassing signs, restrooms, public telephones, walkways, entrance and exit drives, and traffic directions

Real Estate Signs Signs offering real estate for sale, rent, or lease

Residential/Commercial/Industrial Subdivision and Residential Development Signs. Permanent signs displaying no information other than the name of the subdivision, group housing development, apartment/condominium complex, or mobile home park.

Seasonal Signs On-Premise signs advertising seasonal or holiday products or services

Sign. Any device which informs or attracts the attention of persons not on the premises on which the sign is located.

~~Advertising Signs~~ Any signs, pictorial or otherwise, regardless of size or shape, which direct attention to a business, commodity, attraction, profession, service, or entertainment conducted, sold, offered,

manufactured, existing, or provided at a location other than on the premises where the sign is located or to which it is affixed. Such signs are sometimes called off-premise signs, and include, but are not limited to, those signs commonly referred to as outdoor advertising signs, billboards, or poster boards.

Business Signs. Any signs, pictorial or otherwise, regardless of size or shape, which direct attention to a business, commodity, attraction, profession, service, or entertainment conducted, sold, offered, manufactured, existing, or provided on the premises where the sign is located or to which it is affixed. Such sign shall also include such representations painted on or otherwise affixed to any exterior portion of a business. Business signs are sometimes called on-premise signs.

Short Term Personal Information Signs. Signs such as garage sale, lost and found pets, and wedding and reception directions.

Sponsorship Signs. Signs employed by a school or by a civic, fraternal, religious, charitable or similar organization, which identifies the sponsor (by name, address and/or logo, crest, insignia, trademark or emblem only) of recreational or sports facilities provided on the premises where such signs are displayed. "Sponsorship Fence Signs" shall mean sponsorship signs affixed to permanent fencing. "Facility" shall mean the entire premises of an elementary or secondary school or a recreation or sports facility.

Street Frontage. That property line of a parcel that abuts a public or private road. In those cases where no property lines abut a road, 25% of the parcel's perimeter shall be a substituted measurement for street frontage for the purpose of calculating the maximum display area and number of freestanding signs allowed, as though that parcel had only one street frontage.

Temporary Directional Signs. Directional signs intended for use with seasonal activities and civic or community special events not associated with permanent business activities.

Temporary Signs. Signs which are not permanently installed in the ground or affixed to any structure or building, and which are erected or displayed for a period of time as allowed in this ordinance.

Vehicular Signs. Signs on vehicles or trailers, which are in a street legal operating condition.

Wall Signs. Signs attached to the exterior wall of a building or structure, which do not extend beyond the building wall more than 12 inches.

Window Signs. Signs intended for viewing from the exterior of a window or door.

Windblown Signs. Any banner, device, or display designed to be moved by natural or artificially generated sources of air, the wind that contains a written or pictorial message. Windblown signs do not include continuous streamers such as pennants or decorative flags mounted on individual poles. Governmental and corporate flags are considered windblown signs but are exempt from the provisions of this Ordinance if in compliance with Section 25.20(b).

LEGEND: T = Temporary P = Permanent \$ = Permit Required E = Exempt X = Not Allowed

Sign Type	Ordinance Section Reference	T	P	\$	E	X	Required Setback From Right-of-way	Required Setback From Adjoining Property	Display Area, Height and/or Spacing Restrictions
Advertising Signs	26.60		✓	\$			10 ft. *	10 ft.	✓
Audible Signs	26.32					✓			
Banners	**								
Banners over R/W	26.40a	✓							
Business Signs	26.50		✓	\$			10 ft. *	10 ft.	✓
Canopy Signs	26.53		✓	\$			10 ft. *	10 ft.	✓
Changeable Copy Signs	26.52		✓	\$			10 ft. *	10 ft.	✓
Commercial Center Signs	26.52		✓	\$			10 ft. *	10 ft.	✓
Contractor's Signs	26.40b	✓							✓
Development/Project Signs	26.40d								✓
Directory Signs	26.52		✓	\$			10 ft. *	10 ft.	✓
Driveway Signs	26.53		✓					10 ft.	✓
Electronic Message Board	26.52	**	**				10 ft. *	10 ft.	✓
Flag	26.20				✓				
Flashing Signs	26.33					✓			
Illuminated Signs	26.13 d	**	**						
	26.15	**	**						
	26.55	**	**						
Incidental Signs	26.20 h				✓				
Inflatable Signs	**								
Marquee Signs	26.52		✓	\$			10 ft. *	10 ft.	✓
	26.53		✓	\$			10 ft. *	10 ft.	✓
Moving Signs	26.34					✓			
Off-Premise Signs	26.40d	✓							✓
On-Premise Signs	26.40d	✓							✓
Pennants	26.40c	✓	\$				10 ft. *		✓
Political Campaign Signs	26.40d	✓							✓
Portable or Movable Signs	26.40e	✓	\$						✓
Projecting Signs	26.53		✓	\$			10 ft. *	10 ft.	✓
Projection Signs	**								
Public Information Signs	26.20 c				✓				
Real Estate Signs	26.40f	✓							✓
Residential/Commercial/Industrial Subdivision and Residential Development Signs	26.53		✓	\$			10 ft. *	10 ft.	✓
Seasonal Signs	26.40g	✓							✓
Short-Term Personal Information Signs	26.40h	✓							✓
Sponsorship Signs	26.40i	✓							

Sign-Type	Ordinance Section Reference	T	P	E	X	Required Setback From Right-of- way	Required Setback From Adjoining Property	Display Area, Height and/or Spacing Restrictions
Temporary Directional Signs	26.40j	✓						✓
Vehicular Signs	26.40k	✓						
Wall Signs	26.53		✓§					✓
Window Signs	26.20g			✓				
Windblown Signs	**							

* If the distance from the edge of the road to the edge of the right-of-way is greater than 20 feet, the ten-foot setback from the road right-of-way shall not apply.

** Not considered a type of sign, but as an optional form of construction or method of display

NOTE: All allowed or exempt signs, including flags, must meet the requirements as outlined in this ordinance.

256.10 General Provisions

256.11 Construction Standards

All signs shall comply with the appropriate provisions of the County's Building Code, and shall maintain clearances from all overhead electrical conductors in accordance with the National Electric Code, provided that no sign shall be installed closer than ten feet horizontally or vertically from any conductor. *Temporary signs shall be erected or placed to remain in the intended location and not to become a safety hazard or litter problem.*

256.12 Unsafe or Hazardous Signs

No sign shall be erected or allowed to remain erected that, in the opinion of the County Building Official, is structurally unsafe and constitutes a danger to the public safety. If any sign should become insecure, in danger of falling, or otherwise unsafe, the owner thereof or the person maintaining the sign shall immediately secure or remove the sign.

256.13 Maintenance

To insure that signs are maintained in a safe and aesthetic manner, the following maintenance requirements shall apply to all signs.

- No sign shall be allowed to have more than 20% of its display area, reverse side, or structure covered with disfigured, chipped, cracked, ripped, or peeling paint or poster paper for a period of more than 30 successive days.
- No sign shall be allowed to remain with a bent or broken display area, broken supports, loose appendages or struts, or stand more than 15 degrees away from the perpendicular for a period of more than 30 successive days.
- No sign shall be allowed to have weeds, trees, vines, or other wild vegetation growing upon it for a period of more than 30 successive days.
- No indirect or internally illuminated sign shall be allowed to have only partial illumination for a period of more than 30 successive days.

256.14 Public Right-of-Way

No portion of any sign shall overhang or encroach upon any public right-of-way.

256.15 Illuminated Signs

All illuminated signs must meet the performance standards related to light and glare as described in Article 2, Section 24.50.

256.20 Exempt Signs

The following are not subject to these sign regulations

- a. Signs not exceeding one square foot in area and bearing only property numbers, post office box numbers, or names of occupants on premises not having commercial connotations
- b. The single flag or insignia of the United States or any other governmental or corporate entity, except when displayed in connection with commercial promotion.
- c. Legal notices or identification, *public informational signs*, and directional signs erected as required by governmental bodies.
- d. Integral decorations or architectural features of buildings or grounds, except letters, trademarks, moving parts, or moving lights.
- e. Signs not exceeding four square feet in area directing and guiding traffic on private property
- f. Wall identification signs and commemorative plaques not more than four square feet in area, memorial cornerstones or tablets providing information on building erection or commemorating a person or event
- g. Signs, which are not designed to be visible beyond the boundaries of the parcel on which they are located or from any public thoroughfare or right-of-way
- h. *Incidental signs or* Trademarks or product names which are displayed as part of vending machines, dispensing machines, automatic teller machines, and gasoline pumps.

256.30 Prohibited Signs

256.31 Signs Imitating Traffic or Emergency Signals

No sign shall be permitted which imitates an official traffic sign or signal, or contains words or symbols displayed in a manner which might mislead or confuse drivers of vehicles, or which displays intermittent lights resembling the color, size, shape, or order of lights customarily used in traffic signals, on emergency vehicles, or on law enforcement vehicles, except as part of a permitted private or public traffic control sign.

256.32 Audible Signs

No sign shall be permitted which emits any sound capable of being detected on a public road or adjoining property.

256.33 Flashing Signs

No sign shall be permitted which utilizes flashing, blinking, or strobe-type lights, or any type of pulsating or moving light, except ~~moving~~ *electronic* message boards in accordance with the provisions of this chapter. However, ~~moving~~ *electronic* message boards are not allowed to flash a static message.

256.34 Moving Signs

No sign shall be permitted which moves or presents the illusion of movement in any manner ~~except windblown signs in accordance with the provisions of Section 25.40, when such movement is provided by means other than the movement of air~~

256.35 Signs Attached to or Painted on Selected Features

No sign shall be permitted which is attached to a utility pole or street sign, or is attached to or painted on tree trunks, rocks, or other natural objects.

25.36 Portable Signs

Portable signs shall be permitted only in accordance with the provisions of Section 25.40, Temporary Signs.

25.37 Windblown Signs

Windblown signs shall be permitted only in accordance with the provisions of Section 25.41, Special Event Signs.

256.40 Temporary Signs

~~The only temporary signs, which require a permit, are special event signs; however, all must comply with the requirements of this Ordinance. The owner of the sign shall be responsible for obtaining the permit prior to its installation~~

~~All Temporary Signs must maintain at least a ten foot setback from all property lines and the existing road right of way, unless otherwise specifically stated in this Ordinance. If the distance from the edge of the road to the right of way is greater than 20 feet, the ten foot setback from the road right of way shall not apply. However, no sign shall be allowed to violate any of In keeping with Section 25.00 Intent and Purpose, temporary signs that are in compliance with the requirements of Section 22.10 Driveway and Street Restrictions, Section 26 10 General Provisions, Section 125.00 Conflict with Other Laws, and all other applicable requirements of this Ordinance, shall be allowed.~~

a. Banners Over Public Rights-of-Way

Banners spanning over public rights-of-way are allowed, subject to approval by the appropriate state DOT agency or appropriate local governmental (County or Municipal) agency responsible for maintenance of the right-of-way. Banners attached to existing utility poles shall require the approval of such utility agency.

25.42 b. Contractors' Signs

~~Contractors' signs~~ *One sign* displaying the names of the builders, contractors, architects, engineers, craftsmen, artisans, and similar information may be erected upon the premises of any work, construction, major repairs, or improvements. The display area of such signs shall not exceed 32 square feet in Restrictive Development Districts and 50 square feet in Intensive Development Districts. Such signs shall be removed within seven days of the completion of the work.

c. Pennants

Any lightweight plastic, fabric, or other material, regardless of shape, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move with the wind Pennants shall be limited to two strands for every 100 feet of road frontage or portion thereof. A strand is defined as being between two attachment points. Pennants and/or attachment points shall be set back a minimum of 10 feet from the road rights-of-way Pennants are allowed only in conjunction with the permitting of Portable or Moveable signs.

25.46 d. Political Campaign Signs

Signs announcing candidates seeking public office or relating to any election or public referendum shall be allowed. Such signs shall be placed only on private property, and removed within seven days after the election or referendum. These signs do not have to be set back from road rights-of-way.

~~25.44 e. Portable or Movable Special-Event Signs~~

~~One portable sign and one windblown sign shall be permitted in conjunction with special events. Special-Event Portable or movable signs shall be permitted once up to two separate times a per year for a period not to exceed 30 consecutive days per occurrence. Portable signs must be located at least 20 feet from any adjoining business signs or small advertising signs. Pennants are allowed only in conjunction with a permit under this Section and in accordance with Section 26.40c.~~

Individual businesses ~~centers~~ and commercial centers may have one ~~special-event~~ portable sign per ~~500~~ 200 feet of street frontage or portion thereof. ~~Tenants are limited to one portable sign per occurrence.~~ A parcel with frontage on different streets shall have the frontages regulated independently as to number of signs allowed. Multiple signs allowed on the same frontage of the same parcel must be located at least ~~500~~ 200 feet apart, ~~and 20 feet from any adjoining business signs or small advertising signs.~~ Private restrictive covenants and/or lease agreements for business centers and commercial centers may include more restrictive policies for these types of signs.

~~Signs for all other promotions or activities shall use permanent, permitted changeable copy signs as described in Section 25.50, Business Signs.~~

25.43 f. Real Estate Signs

Signs offering real estate for sale, rent, or lease.

On-Premise - Real estate sign display area shall not exceed six square feet for individual parcels restricted for residential use only and 32 square feet for all other parcels. These signs do not have to be set back from road rights-of-way. Such signs shall be removed within seven days of the conveyance or lease of the property.

Off-Premise - Real estate signs not exceeding 4 square feet in area and 2.5 feet in height are allowed off-premises, provided they are located on private property with the property owners' permission. These signs do not have to be set back from road rights-of-way. Such signs shall be removed within seven days of the conveyance or lease of the property.

Development/Project Signs shall meet the same restrictions for On-Premise and Off-Premise Real Estate Signs, except that Off-Premise Development/Project Signs shall be removed after 75% of the lots, units, etc. have been sold or leased.

~~25.44 Garage or Yard Sale Signs~~

~~On-site garage or yard sale signs are allowed provided that the total display area shall not exceed six square feet. Such signs shall be removed upon completion of the garage or yard sale.~~

25.48 g. Seasonal Signs

Seasonal signs are signs advertising seasonal or holiday products or services. These signs shall not exceed 32 square feet in area and must be located on private property with the property owner's permission. Seasonal signs must be removed within 7 days after the end of the season. These signs do not have to be set back from road rights-of-way.

h. Short-Term Personal Information Signs

Short-term personal information signs, such as garage sale, lost and found pets, and wedding and reception directions, are allowed provided they are located on private property with the property owner's permission. These signs shall not exceed six square feet in size, are limited to no more than seven consecutive days, and must be removed within twenty-four hours after the completion of the event. These signs do not have to be set back from road rights-of-way.

25.45 Temporary Subdivision Signs

~~Temporary signs announcing a land subdivision development may be erected on the premises of the land subdivision. Such signs shall not exceed 32 square feet in area, shall be at least 20 feet from all adjoining property lines, and shall be spaced at least 500 feet apart. Such signs shall be removed within 30 days from such time as 75% of the lots are conveyed.~~

25.47 Produce Sale Signs

~~A sign advertising the sale of produce out of a home garden shall be allowed on the premises where the produce is being sold. Such signs shall not exceed four square feet in display area nor exceed four feet in height.~~

i. Sponsorship Signs

Signs employed by a school or by a civic, fraternal, religious, charitable or similar organization, which identifies the sponsor (by name, address and/or logo, crest, insignia, trademark or emblem only) of recreational or sports facilities provided on the premises where such signs are displayed "Sponsorship Fence Signs" shall mean sponsorship signs affixed to permanent fencing. "Facility" shall mean the entire premises of an elementary or secondary school or a recreation or sports facility. These signs are intended to be used for a specific event or sporting season. They must meet all safety standards and local event/location restrictions imposed by the event committee, site owner, etc. Such signs intended to remain beyond the event or sporting season limitation shall be regulated as permanent signs under the appropriate definitions found in this ordinance.

j. Temporary Directional Signs

Directional signs intended for use with seasonal activities and civic or community special events not associated with permanent business activities. These signs shall be limited to eight in total number and shall not exceed 12 square feet per sign and must be located on private property with the property owner's permission. These signs do not have to be set back from road rights-of-way. These signs must be removed within seven days after the end of the season or after the individual event for which it was intended. Such signs do not constitute a land use unto themselves and are not considered Off-Premise Advertising Signs.

k. Vehicular Signs

Signs on vehicles or trailers, which are in a street legal operating condition. Signage, no matter how attached or painted, on a currently, properly licensed vehicle (motorized or not – including trailers) used in the everyday conduct of the business or activity that it is advertising, is allowed. Vehicles with such signage may be parked in normal designated parking places, but not on grassy areas, sidewalks, or other locations not normally available to customers or patrons of the business. Disabled or unlicensed vehicles, on which signage has been placed, shall be regulated as permanent signs under the appropriate definitions found in this ordinance. Signs resting upon, mounted to and/or displayed from a parked vehicle, used other than as described above, shall be considered as Portable or Moveable Signs.

256.50 Business Signs

256.51 Location

In Intensive Development Districts these signs must comply with the same buffering restrictions as the principal activity for which they advertise, except that they may be erected within the required setback unless other more restrictive provisions of this Ordinance apply. In Restrictive Development Districts these signs must comply with the same buffering restrictions as the principal activity for which they advertise. However, in all districts, any portion of a business sign must maintain at least a ten-foot setback from all property lines and the existing road right-of-way, unless otherwise specifically stated in this Ordinance. If the distance from the edge of the road to the right-of-way is greater than 20 feet, the ten-foot setback from the road right-of-way shall not apply. No sign shall be allowed to violate any of the requirements of Section

22.10, Driveway and Street Restrictions.

256.52 Maximum Display Area, Height, and Number of Signs

Individual businesses and commercial centers may have one freestanding business sign per 500 feet of street frontage or portion thereof. These signs shall comply with the following height and display area requirements:

Location	Maximum Static Display Area per Sign	Maximum Changeable Copy or Moving Electronic Message Board	Maximum Height
Restrictive Development Districts	75 square feet	40 square feet	15 feet
Intensive Development Districts	100 square feet	60 square feet	20 feet
Commercial Centers	300 square feet	80 square feet	35 feet

Both the maximum static display area and the maximum changeable copy/moving electronic message board area may be utilized as part of each allowed individual or commercial center sign. However, the maximum display area per sign shall not be increased with any exchange or substitution of the allowable area for changeable copy or moving electronic message.

A parcel with frontage on different streets shall have the frontages regulated independently as to number of signs allowed.

Multiple signs allowed on the same frontage of the same parcel must be located at least 500 feet apart. The maximum display area allowed for commercial centers includes any directory signs. In addition, each business within a commercial center may erect one wall, projecting, or marquee sign; and, each individual business not within a commercial center may erect one wall, projecting, or marquee sign per street frontage.

Changeable Copy Signs. Signs on which message copy is changed manually through the utilization of attachable letters, numbers, symbols, and other similar characters or changeable pictorial panels. Poster panels and printed boards are not considered changeable copy signs.

Commercial Center. A commercial complex consisting of more than one retail, commercial, or office establishment grouped together, usually developed under one ownership or management, and generally sharing parking areas and vehicular entrances and exits.

Directory Sign. Any sign listing only the names, uses, or locations of more than one business, activity, firm, professional office, or tenant within a building, group of buildings, or commercial center.

256.53 Specialty Signs

Canopy Signs are any signs, which are erected on a separate, freestanding roof-like covering. Only business logos or names are allowed as canopy signs, with a maximum of one logo or name on each canopy face. A logo is the symbol or trademark of a company. No portion of a canopy sign shall be permitted above the top of the roof of the covering to which it is attached, or permitted to be lower than eight feet above ground level. An owner of a business with a canopy connected to a building has the option of using either canopy or marquee signage, but not both.

Driveway Signs indicating the direction of travel are required on all one-way driveways. These signs must be aboveground signs, with a maximum height of two and one-half feet, and located at the edge of the existing road right-of-way.

Marquee Signs are any signs erected, stenciled, engraved on, attached to, or suspended from a marquee. A marquee is defined as any hood, awning, or roof-like structure of permanent construction, which is supported from a wall of a building and projects beyond the building wall, and is generally designed and constructed to provide protection against the weather. Such a sign shall not exceed 15% of the area of the wall of the first story of the building or business to which it is attached. No portion of a marquee sign shall be permitted above the top of the roof of the building to which it is attached, or permitted to be lower than eight feet above ground level. The marquee sign information may be dispersed anywhere on the marquee as long as the total display area of all information does not exceed the 15% requirement.

Public Information Signs are signs containing no message, copy, announcement, or decoration other than instructions or directions to the public except for subordinate identity. Such signs include, but are not limited to, identifying the following: restrooms, public telephones, walkways, entrance and exit drives, freight entrances, and traffic directions. Information signs shall be ~~permitted~~ *allowed* on business lots provided that no such sign shall exceed six square feet in display area. Information signs shall not count toward the maximum number of signs allowable nor the maximum display area of signs allowable.

Projecting Signs are any signs, which are erected on a building wall or structure and extend beyond the wall of the building more than twelve inches. Such a sign shall not exceed 15% of the area of the wall of the first story of the building or business to which it is attached. No portion of a projecting sign shall be permitted above the top of the roof of the building to which it is attached, or permitted to be lower than eight feet above ground level.

Residential/Commercial/Industrial Subdivision and Residential Development Signs are permanent signs displaying no information other than the name of the subdivision, group housing development, apartment/condominium complex, or mobile home park. Such signs may be either single signs or gateway signs (paired signs on each side of an entrance). These signs shall not exceed 100 square feet each in display area, and shall not exceed a height of six feet. However, the display area and height restrictions are not intended to apply to the entire decorative structure on which the sign is displayed. Within the same project, a single sign or pair of gateway signs must be at least 300 feet from another single sign or pair of gateway signs. Such signs shall also be exempt from the ten-foot setback restriction of Section 256.51, but still must comply with the engineering criteria found in the Lexington County Development Guidelines and the Driveway Restrictions found in Section 22.10 of this Ordinance. A sign can be located in a road right-of-way median if such sign complies with all engineering criteria found in the Lexington County Development Guidelines.

Wall Signs are signs attached to the exterior wall of a building or structure, which do not extend beyond the building wall more than 12 inches. Such a sign shall not exceed 15% of the area of the wall of the first story of the building or business to which it is attached. No portion of a wall sign shall be permitted to project above the wall of the building to which it is attached except in the case of signs mounted to the roof in which case no portion shall project above the top of the roof. The wall sign information may be dispersed anywhere on the wall as long as the total display area of all information does not exceed the 15% requirement. A "mural" is a painting applied to a wall containing no advertisement for any business product or activity. A mural, as defined, will not be considered a wall sign.

256.54 High Rise Buildings

Buildings, which exceed five stories in height, shall be permitted to erect one wall sign per wall at the top story of the building. Such signs shall only identify the name of the building *or the major tenant*. The display area of such signs shall not exceed 2% of the area of the wall to which it is attached. Such signs shall be permitted in addition to the requirements of this chapter.

256.55 Businesses on Scenic Corridors and/or in Restricted Development Districts

Illuminated signs for individual businesses and commercial centers located on scenic corridors, as defined in the Lexington County Landscaping Ordinance, or in Restrictive Development Districts, as defined in the Lexington County Zoning Ordinance, shall meet one of the following conditions:

Internally illuminated signs must be constructed so that only letters, numbers, and/or logos are illuminated; shall not have light reflecting backgrounds or letters; and shall have a matte finish.

Externally illuminated signs shall have a steady stationary light source that is shielded and directed solely at the sign; shall have white light sources; and shall not have light reflecting backgrounds or letters.

256.60 Advertising Signs

256.61 Location

Advertising signs are identified as principal activities in this article and are therefore subject to all other provisions of this Ordinance. They shall be permitted only in the zoning districts where they are allowed, and provided they meet the street access requirements of this Ordinance. Regardless of the street access restrictions, advertising signs are allowed to locate on interstate highways, expressways, and frontage roads (except when classified RI.4, RI.5, or RI.6) where their right-of-way is contiguous to an interstate highway or expressway; these signs, however, must be located within 200 feet of the right-of-way of the interstate or frontage road, if applicable. No advertising sign shall be allowed on Scenic Corridors, as defined in the Lexington County Landscape Ordinance, or within 1000 feet of the banks of the Saluda, Congaree, or Edisto Rivers.

All portions of advertising signs must maintain at least a ten-foot setback from all property lines and the existing road right-of-way. If the distance from the edge of the road to the right-of-way is greater than 20 feet, the ten-foot setback from the road right-of-way shall not apply. In some locations, the required minimum setbacks may be greater than this. Such signs shall also comply with all provisions of Section 22.10, Driveway and Street Restrictions.

To minimize the opportunity for visual distraction during vehicular merge operations, advertising signs will be restricted within the vicinity of interstate interchanges and rest areas. No advertising sign located along an interstate may be erected within 500 feet of an interchange or rest area. The interchange or rest area is considered to begin or end at the point where the pavement widens for an entrance or exit ramp/lane. When the entrance or exit ramp/lane is not on the same side of the road as the proposed advertising sign, the point of measurement shall be determined by identifying the location of the relative pavement widening and applying it to an identical point on the side of the road where the advertising sign is proposed to be located.

256.62 Maximum Display Area

The maximum display area for any advertising sign located along an interstate shall be 672 square feet plus a 10% allowance for copy extensions. A copy extension is the part of the copy which extends beyond the edge or border of the sign, sometimes called a "cut-out" or "drop-out."

The maximum display area of advertising signs on any other highway shall be 288 square feet plus 10% allowance for copy extensions, except for portions of Arterial (A) streets that have at least four lanes, which may have a maximum display area of 378 square feet plus 10% allowance for copy extensions. Those designated portions must have the appropriate zoning district to support advertising signs

256.63 Minimum Spacing

No advertising sign located along an interstate shall be permitted to locate within 2000 feet of another sign on the same side of the roadway. For non-interstate highways no advertising signs shall be permitted to locate within a 1000-foot radius of another advertising sign.

256.64 Maximum Height

Advertising signs along interstates shall be permitted to a height of 110 feet above the elevation of the highest travel lane at the location of the sign. The maximum height of advertising signs along other roadways shall not exceed 45 feet above the elevation of the roadway.

256.65 Minimum Height

There shall be no minimum height of the display surface for advertising signs located along interstates.

The minimum height of the display surface of advertising signs on Arterial Roads shall be 25 feet above the elevation of the roadway, unless the display area does not exceed 200 square feet and placement of the sign does not block visibility of an existing business sign.

256.66 Small Advertising Signs

Small advertising signs are not required to meet the spacing and height provisions of Sections 25.63, 25.64, and 25.65, provided they have less than 72 square feet of display area, conform to the location requirements for advertising signs, stay 20 feet from any adjoining business signs, 500 feet from other small advertising signs, and 300 feet* from advertising signs on the same side of the highway; and do not exceed 15 feet in height.

* As this is a state requirement, variances cannot be granted by the Board of Zoning Appeals.

256.67 South Carolina Code of Laws

The sign regulations contained in this Ordinance are supplemented by the requirements of The State of South Carolina Department of Transportation, which regulates off-premise advertising signs on interstate and federal aid road systems. A permit from the State of South Carolina may contain some restrictions, which are in addition to the requirements of this Ordinance. Issuance of a Lexington County Zoning Permit does not imply approval of, or constitute a privilege to violate, any other applicable state or local ordinances, codes, laws, or private restrictive covenants.



COUNTY OF LEXINGTON, SOUTH CAROLINA

Department of Community Development
County Administration Building (803) 785-8121
212 South Lake Drive Lexington, South Carolina 29072

ZONING MAP AMENDMENT APPLICATION # M05-08

Address and/or description of property for which the amendment is requested:

Ginny Lane (2300 Feet of Ginny Lane Beginning at Intersection of Sunset Blvd. toward I-20)

Zoning classifications: Local Road (L) Collector Road (C)
(current) (proposed)

Reason for the request (use the back of this application form if necessary):

Saluda Mill Road, which is new road, that connects to Ginny Lane needs to be classified as Collector Road
due to a planned apartment complex, therefore Ginny Lane should be a Collector Road also.

Even though this request will be carefully reviewed and considered, the burden of proving the need for the amendment rests with the applicant.

Date 07-05-05

(X) Owner?

() Agent?

Signature Bryan E. Kelly III

Name(print) Northside Real Estate Holdings, LLC
c/o Ben Kelly

Address One Southern Ct.

Telephone # 803-739-4457

West Columbia, SC 29169

- | | |
|--|------------------------------------|
| 1. <u>7/5/05</u> Application Received | 4. <u> / / </u> Property Posted |
| 2. <u>7/5/05</u> Fee Received | 5. <u>9/2/05</u> Notices Sent |
| 3. <u>9/8/05</u> Newspaper Advertisement | |

 / / Planning Commission Recommendation: _____

8/23/05 First Reading 9/27/05 Public Hearing / / Second Reading / / Third Reading

Results: _____

STAFF SUMMARY ZONING MAP AMENDMENT #M05-08

Description of the Amendment: This map amendment request is for a change in road classification(approximately 2300 ft.) from "L" Local to "C" Collector beginning at the intersection of Sunset Boulevard(Hwy. 378). and Ginny Ln.

Character of the Area: Property in the immediate area is either vacant or used commercially. A gas station/convenience store was built recently at the corner of Ginny Ln. and Sunset Blvd.

Zoning History: Only one map amendment request in the immediate area back in 1994. This property is in the Central Lexington Planning area zoned December 9, 1986

Council District: Eight-Councilman Joseph W. "Joe" Owens

Attachments: Chart of Allowed Uses by Road Classification
Political Boundaries Maps
Location Maps

Chapter 2. General Requirements

22.00 Street Classifications and Access

All streets on the zoning maps shall be designated one of the following classifications as shown on the Right-of-Way Plan. The columnar chart which follows in Section 22.02 identifies the type street required to provide access to each activity.

Arterial (A): A street of regional importance or a main road of the community which is expected to carry either heavy vehicular traffic volumes or high-speed traffic or both. Traffic intensive commercial, industrial and high-density residential activities should be encouraged to develop on Arterial roads.

➡ Collector (C): A street which is used or intended to be used for moving traffic from local streets to Arterials. Collectors are generally shorter than Arterials, but carry high volumes of traffic. Therefore, development of land along Collectors should be compatible with high traffic volumes.

➡ Local (L): A street which primarily provides access to nonresidential land uses and connects residential streets to the Arterials and Collectors. Land uses should be compatible with higher traffic volumes. However, the most intensive land uses which generate extremely high levels of traffic should be prohibited from direct access. The following additional categories of Local streets are established to handle the special circumstances described:

Residential Local Six (RL6): A street with frontage over 50% residentially developed at the time of enactment of this Ordinance or platted as a residential subdivision. This type street is intended to accommodate residential activities at six dwelling units per acre. Access will be limited to this type development and allowed home occupations or accessory activities.

Residential Local Five (RL5): A street with frontage over 50% residentially developed at the time of enactment of this Ordinance or platted as a residential subdivision. This type street is intended to accommodate some residential activities at five dwelling units per acre. Access will be limited to this type development and allowed home occupations or accessory activities.

Residential Local Four (RL4): A street with frontage over 50% residentially developed at the time of enactment of this Ordinance or platted as a residential subdivision. This type street is intended to accommodate some residential activities at four dwelling units per acre. Access will be limited to this type development and allowed home occupations or accessory activities.

Limited Local (LL): A street that contains a locational or design flaw which limits traffic volume. The conditions of the problem should be virtually impossible to correct or very unlikely to be improved. Access to this type street will be limited to those activities expected to generate traffic volumes equal to or less than Detached Residential development at four dwelling units per acre.

22.01 New Streets Created

- Whenever new streets are added to the roadway system within the zoning jurisdiction of Lexington County, these streets shall be classified according to the criteria specified within this section. The Zoning Administrator, upon the approval and confirmation of the classification by the Planning Commission, shall cause same to be placed upon the zoning map.


22.02 Chart of Permitted Access by Street Classification

The following chart designates the street classifications necessary to access each of the major activities. A principal activity which is restricted from access to a specific street classification may not locate where the activity is reachable only through the use of a street with such a restricted classification.

There are limits placed on some activities allowed to access a Limited Local (LL) street classification. The last column in the chart describes the specific nature of these limits where they exist. They are expressed in either maximum number of dwelling units (DU) per acre, maximum number of beds per acre, or maximum floor area ratio (FAR). A floor area ratio is an expression of the total floor area of a structure

or building, including useable basements, compared to the total lot area. For example, a 1000-square foot building on a 10,000 square foot lot would have a floor area ratio of .10.

PA	CC	IF	RE6	RE5	RE4	LF&M	Max Limits	ACTIVITIES
X	X	X				X	.09 FAR	Administrative Offices
X								Advertising Signs
X	X	X						Airports
X	X	X						Animal Operations
X	X	X						Boat Docks
X	X							Bus and Transit Terminals
X	X	X				X	.05 FAR	Business Services
X	X	X				X		Cemeteries
X	X	X						Child or Adult Day Care
X	X	X						Churches
X	X	X				X	.03 FAR	Communication Towers
X	X	X						Community Education
X	X	X						Construction Services
X	X	X				X		Crops
X	X							Detention Centers
X	X	X				X		Essential Services (Limited)
X	X	X						Essential Services (Extensive)
X	X	X						Food Services
X	X	X						General Repair and Maintenance Services
X	X	X				X	.03 FAR	General Retail (Limited)
X	X	X				X	.03 FAR	General Retail (Extensive)
X	X	X	X*	X*	X*			Group Assembly (Limited)
X	X	X	X*	X*	X*			Group Assembly (Intermediate)
X	X	X#						Group Assembly (Extensive)
X	X	X	X			X	5.5 DU/acre	Group Housing
X	X	X#						Hospitals
X	X	X						Kennels and Stables
X	X	X						Landfills (Limited)
X	X	X**						Landfills (Intermediate)
X	X**							Landfills (Extensive)
X	X	X						Manufacturing (Light Assembly)
X	X	X						Manufacturing (Limited)
X	X	X						Manufacturing (Intermediate)
X	X							Manufacturing (Extensive)
X	X	X						Marinas
X	X	X				X	.07 FAR	Medical Services
X	X							Military Installations
X	X	X						Mining (Limited)
X	X	X						Mining (Intermediate)
X	X							Mining (Extensive)
X	X	X	X	X	X	X		Mini-Parks
X	X	X						Mini-Warehouses
X	X	X	X	X	X	X	4 DU/acre	Mobile Homes
X	X	X	X			X	6 DU/acre	Mobile Home Parks



RA	GC	LD	RL6	RL5	RL4	BL & MAX Limits	ACTIVITIES
X	X	X	X	X	X	X	Natural Reserves
X	X	X	X				Non-Assembly Cultural
X	X	X				X 12 Beds/acre	Nursing Homes
X	X	X				X .03 FAR	Personal Convenience Services
X	X	X				X	Plant Nurseries
X	X						Power Plants
X	X	X				X .09 FAR	Professional Services
X	X						Radioactive Materials Handling
X	X						Railroad
X	X	X					Recycling Centers
X	X	X				X .09 FAR	Research Services
X	X	X	X	X	X	X 4 DU/acre	Residential Detached
X	X	X	X	X		X 4 DU/acre	Residential Attached (2 Dwelling Units)
X	X	X	X			X 6 DU/acre	Residential Attached (3 or more Dwelling Units)
X	X	X	X			X 6 DU/acre	Retirement Centers/Assisted Living
X	X	X					Salvage/Wrecking Yard
X	X	X					Scrap Operations
X	X	X					Business Parks
X	X	X					Shopping Centers
X	X	X					Industrial Parks
X	X	X					Towing and Impoundment Lot
X	X	X					Trade Enterprises
X	X	X					Transient Habitation
X	X	X					Transport & Warehousing (Limited)
X	X	X					Transport & Warehousing (Extensive)
X	X	X					Transport Services
X	X	X					Undertaking
X	X	X	X	X	X	X	Utilities
X	X	X					Vehicle Parking
X	X	X				X	Vehicle Repair
X	X	X				X .03 FAR	Vehicle Sales
X	X	X					Vehicle Servicing (Limited)
X	X	X					Vehicle Servicing (Extensive)
X	X	X					Veterinarian
X	X	X					Zoos

* Access by these classifications is allowed only if the Group Assembly (Limited) activity is a membership facility owned, operated, and used by the property owners in the surrounding residential area for which the facility is being established.

** Access by these classifications is allowed only if the street is paved.

Access by this classification is allowed only if the activity also has access to an Arterial or Collector Street.

22.30 Residential Density

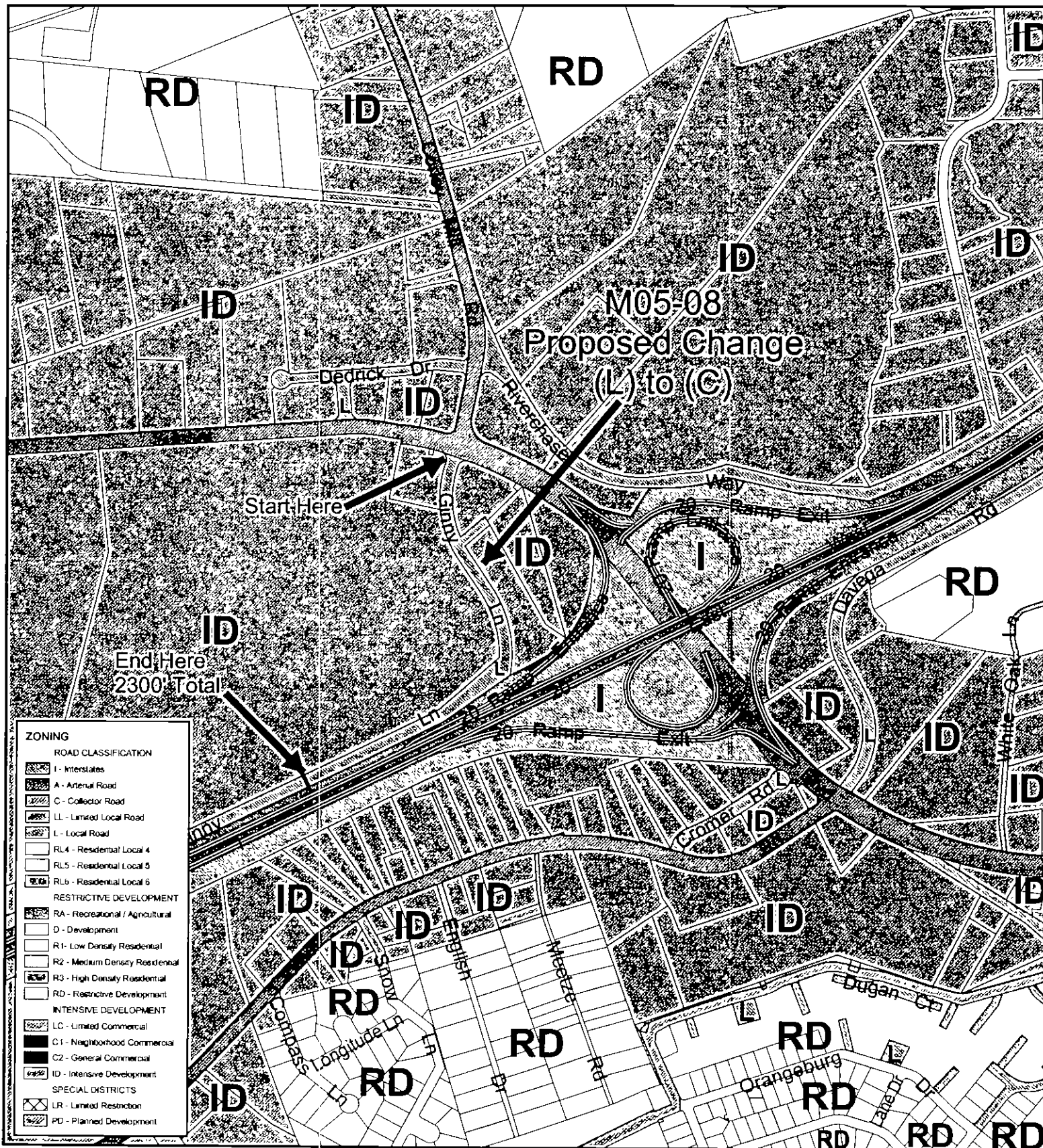
Residential types of activities as permitted in R1, R2, R3, D, and RA districts are subject to maximum density limits to support the contemplated activity. Density is to be measured as the total area of land within the property boundaries, including those which are permanently under water or subject to inundation, or which are contained in an easement, proposed roads, or other grant of use. However, density calculations shall not include rights-of-way for existing roads.

The allowable density of residential development shall be in accord with the following listings for the zoning districts and road classifications, the most restrictive of which shall apply. Minimum lot areas are then established via this table in conjunction with adherence to the buffering restrictions of Article 2, Chapter 3. However, nothing contained herein shall be construed so as to circumvent the specific lot area requirements of DHEC regulations as administered by the Lexington County Health Department for individual wells and septic tanks.

ZONING DISTRICT		DENSITY (dwelling units per gross acre)
R3		20
R2		8
R1, D, RA		4
STREET CLASSIFICATION		DENSITY (dwelling units per gross acre)
A	Arterial	Unlimited
C	Collector	12
L	Local	8
RL6	Residential Local Six	6
RL5	Residential Local Five	5
RL4	Residential Local Four	4
LL	Limited Local	4*

* Refer to Section 22.00 for a full understanding of the Limited Local restrictions.

A lot in existence prior to the adoption of this Ordinance, which does not comply with the requirements of this section, shall be allowed to support one dwelling unit without regard to density or lot area, provided the activity complies with all other zoning requirements and any applicable health and safety standards.



Existing Zoning Map Amendment # M05-08 Ginny Lane at I-20 & Hwy 378





COUNTY OF LEXINGTON, SOUTH CAROLINA

Department of Community Development
County Administration Building (803) 785-8121
212 South Lake Drive Lexington, South Carolina 29072

ZONING MAP AMENDMENT APPLICATION # M05-10

Address and/or description of property for which the amendment is requested:

2121 Lake Murray Blvd., Coldstream Golf Course Property TMS#2697-01-016

Zoning classifications: High Density Residential(R3) Low Density Residential(R1)
(current) (proposed)

Reason for the request (use the back of this application form if necessary)

To rezone the Coldstream Golf Course Property from High Density Residential(R3) to Low Density Residential(R1).

Even though this request will be carefully reviewed and considered, the burden of proving the need for the amendment rests with the applicant.

Date 08-24-05

() Owner?

(X) Agent?

Signature

Name(print)

BRUCE A. HILLER
DEVELOPMENT ADMINISTRATOR

Address 212 South Lake Dr.

Telephone # 803-785-8121

Lexington, SC 29072

1. 8/24/05 Application Received
2. 7/7/05 Fee Received
3. 9/8/05 Newspaper Advertisement

4. 9/12/05 Property Posted
5. 9/2/05 Notices Sent

/ / Planning Commission Recommendation: --

8/23/05 First Reading 9/27/05 Public Hearing / / Second Reading / / Third Reading

Results:

STAFF SUMMARY ZONING MAP AMENDMENT #M05-10

Description of the Amendment: This map amendment request is for a change in zoning classification from “High Density Residential (R3)” to “Low Density Residential (R1)”.

Character of the Area: Single Family Residential primarily in the immediate area with apartments between Coldstream Dr. and Lake Murray Blvd. Commercial and residential use along Lake Murray Blvd.

Zoning History: This property is in the Dutch Fork/Seven Oaks Planning Areas zoned in 1971/1974. Over the years there have been more than twenty map amendment requests in the area. The subject property is part of the Coldstream golf course

Council District: Six-Councilman Johnny W. Jeffcoat

Attachments: Chart of Allowed Uses by Zoning District
Political Boundaries Maps
Location Maps

However, home occupation day care is not subject to the 25% of total floor area restriction, or the 750 square feet of floor area restriction imposed on other home occupations. Also, home occupation day care may be conducted outside on the premises using yard furnishings customary to the residential setting. Additional traffic generation from one delivery and one pick up of each individual each day shall be considered within the limitations of item "c" above. The Board of Zoning Appeal's deliberations shall include, but not be limited to, the following items:-----

1. the size of the residence and the outside recreation area;
2. parking and vehicular access to the residence and its ability to accommodate the drop-off and pick-up of the additional individuals;
3. the stated opinions of the surrounding property owners; and
4. if requested, the acceptability of having an employee ("caregiver" as defined by the South Carolina Department of Social Services) who is not a resident of the dwelling unit.

21.30 Permitted Uses by District

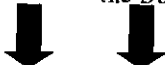
The columnar chart which follows describes the activities permitted within each district. This chart is based upon the list of principal activities defined in Section 21.10 of this Ordinance and the districts established in Section 11.40, and is subject to the following:

- a. The listing of a permitted activity within a district may be voided upon the application of the special overlay district regulations pertaining to flooding, drainage, or airports found in Articles 4 and 5 of this Ordinance.
- b. The provisions of Chapters 2, 3, and 4 of this Article shall apply in all districts to all listed activities as applicable. The application of these provisions may prohibit an activity from locating in a particular district.
- c. Within the Limited Restriction (LR) district, all activities except the following are permitted without review for compliance with the specific provisions of this Ordinance:

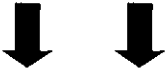
Extremely Hazardous Materials as regulated by Article 3
Mining Operations as regulated by Article 8
Mobile Home Parks as regulated by Article 7
Sexually Oriented Businesses as regulated by Article 10

21.31 Chart of Permitted Activities by District

Those activities that are marked by an asterisk (*) are allowed only when granted a special exception by the Board of Zoning Appeals as outlined in Article 12 of this Ordinance.



R1	R2	R3	D	RA	RD	LC	C1	C2	ID	LR	ACTIVITIES
					XX	XX	XX	XX	XX	XX	Administrative Offices
					XX		XX	XX	XX	XX	Advertising Signs
				XX	XX	XX	XX	XX	XX	XX	Airports
			XX	XX	XX				XX	XX	Animal Operations
		XX		XX	XX		XX	XX	XX	XX	Boat Docks
					XX				XX	XX	Bus and Transit Terminals
					XX			XX	XX	XX	Business Services
	XX	XX	XX	XX	XX			XX	XX	XX	Cemeteries
	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Child or Adult Day Care
XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Churches
					XX				XX	XX	Communication Towers
XX	XX	XX	XX	XX	XX			XX	XX	XX	Community Education
					XX			XX	XX	XX	Construction Services



R1	R2	R3	D	RA	RD	LC	C1	C2	ID	IR	ACTIVITIES
			XX	XX	XX				XX	XX	Crops
					XX				XX	XX	Detention Centers
XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Essential Services (Limited)
	XX	XX	XX	XX	XX			XX	XX	XX	Essential Services (Extensive)
				XX	XX			XX	XX	XX	Food Services
					XX			XX	XX	XX	General Repair and Maintenance Services
					XX		XX	XX	XX	XX	General Retail (Limited)
					XX			XX	XX	XX	General Retail (Extensive)
XX#	XX#	XX#	XX#	XX	XX		XX	XX	XX	XX	Group Assembly (Limited)
				XX	XX			XX	XX	XX	Group Assembly (Intermediate)
					XX			XX	XX	XX	Group Assembly (Extensive)
		XX	XX	XX	XX	XX	XX	XX	XX	XX	Group Housing
					XX		XX	XX	XX	XX	Hospitals
			XX	XX	XX				XX	XX	Kennels and Stables
					XX				XX	XX	Landfills (Limited)
					XX				XX	XX	Landfills (Intermediate)
					XX				XX	XX	Landfills (Extensive)
					XX			XX	XX	XX	Manufacturing (Light Assembly)
					XX				XX	XX	Manufacturing (Limited)
					XX				XX	XX	Manufacturing (Intermediate)
					XX				XX	XX	Manufacturing (Extensive)
					XX			XX	XX	XX	Marmas
					XX	XX	XX	XX	XX	XX	Medical Services
					XX				XX	XX	Military Installations
			XX		XX			XX	XX	XX	Mining (Limited)
					XX				XX	XX	Mining (Intermediate)
					XX				XX	XX	Mining (Extensive)
XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Mini-Parks
					XX			XX	XX	XX	Mini-Warehouses
	XX	XX	XX	XX	XX		XX	XX	XX	XX	Mobile Homes
		XX			XX			XX	XX	XX	Mobile Home Parks (Limited) *
		XX			XX			XX	XX	XX	Mobile Home Parks (Extensive) *
XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Natural-Reserves
				XX	XX	XX	XX	XX	XX	XX	Non-Assembly Cultural
	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Nursing Homes
					XX		XX	XX	XX	XX	Personal Convenience Services
			XX	XX	XX	XX	XX	XX	XX	XX	Plant Nurseries
					XX				XX	XX	Power Plants
					XX	XX	XX	XX	XX	XX	Professional Services
					XX				XX	XX	Radioactive Materials Handling
					XX				XX	XX	Railroad
					XX				XX	XX	Recycling Centers
					XX			XX	XX	XX	Research Services
XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Residential Detached
	XX	XX			XX	XX	XX	XX	XX	XX	Residential Attached (2 dwelling units)
		XX			XX			XX	XX	XX	Residential Attached (3 or more dwelling units)
		XX			XX			XX	XX	XX	Retirement Centers/Assisted Living

22.30 Residential Density

Residential types of activities as permitted in R1, R2, R3, D, and RA districts are subject to maximum density limits to support the contemplated activity. Density is to be measured as the total area of land within the property boundaries, including those which are permanently under water or subject to inundation, or which are contained in an easement, proposed roads, or other grant of use. However, density calculations shall not include rights-of-way for existing roads.

The allowable density of residential development shall be in accord with the following listings for the zoning districts and road classifications, the most restrictive of which shall apply. Minimum lot areas are then established via this table in conjunction with adherence to the buffering restrictions of Article 2, Chapter 3. However, nothing contained herein shall be construed so as to circumvent the specific lot area requirements of DHEC regulations as administered by the Lexington County Health Department for individual wells and septic tanks.

<u>ZONING DISTRICT</u>		<u>DENSITY (dwelling units per gross acre)</u>
R3		20
R2		8
R1, D, RA		4
<u>STREET CLASSIFICATION</u>		<u>DENSITY (dwelling units per gross acre)</u>
A	Arterial	Unlimited
C	Collector	12
L	Local	8
RL6	Residential Local Six	6
RL5	Residential Local Five	5
RL4	Residential Local Four	4
LL	Limited Local	4*

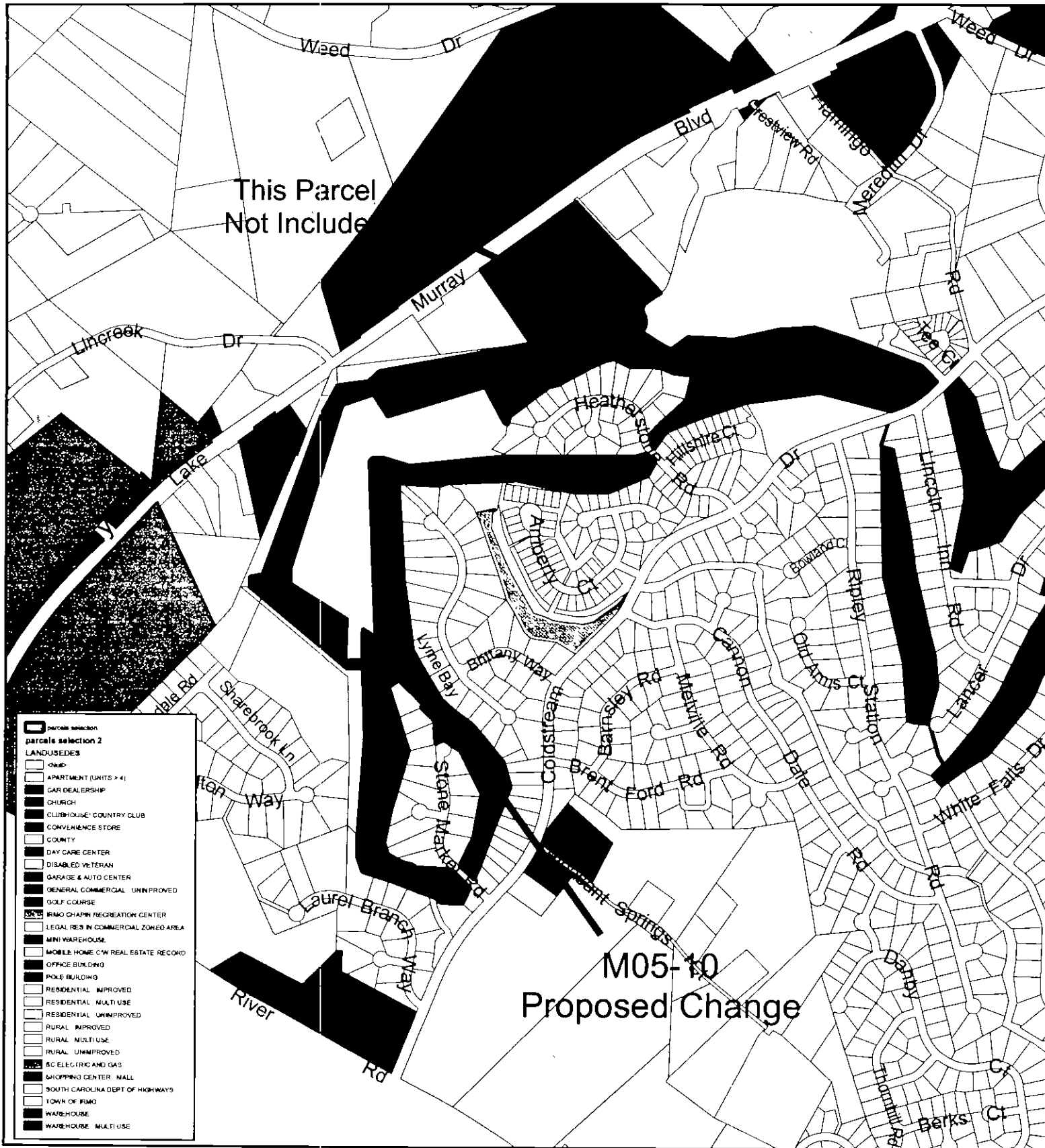
* Refer to Section 22.00 for a full understanding of the Limited Local restrictions.

A lot in existence prior to the adoption of this Ordinance, which does not comply with the requirements of this section, shall be allowed to support one dwelling unit without regard to density or lot area, provided the activity complies with all other zoning requirements and any applicable health and safety standards.



R1	R2	R3	D	RA	RD	IC	CI	C2	ID	IR	ACTIVITIES
					XX				XX	XX	Salvage/Wrecking Yard
					XX				XX	XX	Scrap Operations
					XX		XX	XX	XX	XX	Business Parks
					XX			XX	XX	XX	Shopping Centers
					XX				XX	XX	Industrial Parks
					XX			XX	XX	XX	Towing and Impoundment Lot
					XX			XX	XX	XX	Trade Enterprises
					XX			XX	XX	XX	Transient Habitation
					XX			XX	XX	XX	Transport and Warehousing (Limited)
					XX				XX	XX	Transport and Warehousing (Extensive)
					XX		XX	XX	XX	XX	Transport Services
					XX			XX	XX	XX	Undertaking
XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	XX	Utilities
					XX			XX	XX	XX	Vehicle Parking
					XX			XX	XX	XX	Vehicle Repair
					XX			XX	XX	XX	Vehicle Sales
					XX		XX	XX	XX	XX	Vehicle Servicing (Limited)
					XX			XX	XX	XX	Vehicle Servicing (Extensive)
				XX	XX			XX	XX	XX	Veterinarian
				XX	XX			XX	XX	XX	Zoos

The permitting of this activity in these districts is allowed only if the Group Assembly (Limited) activity is a membership facility owned, operated, and used by the property owners in the surrounding residential area for which the facility is being established.



Existing Landuse **Map Amendment # M05-10** **TMS # 002697-01-016**

cc: Council
M 05-10

Diana Burnett

From: Rosebudsj@aol.com
Sent: Thursday, September 15, 2005 12:02 PM
To: countycouncil@lex-co.com
Subject: Sept. 27th rezoning meeting

Dear Council Members,

My husband and I will not be at the meeting on Sept. 27th. We want it known that we are supporting the rezoning of the Coldstream Country Club properties from R3 to R1. We feel that you will do the right thing for the community. Please represent the communities wishes. Thanks to all of you for the good work that you do

Sincerely,

Mary Brannigan Moore
Donald George Moore